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THE GIFT OF  
J. Herbert Russell

















*Pennsylvania General Assembly -  
Senate.*

# JOURNAL

OF

## THE SENATE

OF THE

COMMONWEALTH OF PENNSYLVANIA,

WHICH COMMENCED AT HARRISBURG

THE

FIFTH DAY OF DECEMBER,

IN THE YEAR OF OUR LORD ONE THOUSAND EIGHT  
HUNDRED AND TWENTY,

AND

OF THE INDEPENDENCE OF THE UNITED STATES OF AMERICA

THE FORTY-FIFTH.

VOLUME XXXI.

HARRISBURG,

PRINTED BY WILLIAM F. BUYERS.

1820.



**JOURNAL**  
OF  
**THE SENATE**  
OF THE  
**COMMONWEALTH OF PENNSYLVANIA.**

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**TUESDAY, December 5, 1820.**

**THIS** day, agreeably to the provisions of the Constitution, the Senate convened,

Present thirty members.

On motion,

The returns of the election of members to supply the places of those whose term of service had expired, were read, by which it appeared, that the following named persons were duly elected, to wit :—

For the district composed of the counties of Washington and Greene,	}	REES HILL.
For the district composed of the counties of Mifflin and Huntingdon,		
For the district composed of the counties of Northumberland, Union, Columbia, Luzerne and Susquehanna,	}	REDMOND CONYNGHAM.
For the district composed of the counties of Berks and Schuylkill,		
For the district composed of the county of Lancaster,	}	EDWARD COLEMAN.

For the district composed of the counties of Chester and Dela- ware,	}	ISAAC D. BARNARD.
For the district composed of the county of Bucks,		CYRUS CADWALLADER.

On motion,

The senate proceeded to the election of speaker, (the clerks being first appointed tellers,) and upon ascertaining the votes William Marks had sixteen and William Davidson fourteen votes, by which it appeared that William Marks was duly elected.

The usual oaths of office were administered to the speaker by Mr. Markley.

The requisite oaths or affirmations were then administered by the speaker to the following new members, to wit:

ISAAC D. BARNARD,	JAMES B. HUBLEY,
EDWARD COLEMAN,	MICHAEL WALLACE,
REDMOND CONYNGHAM,	REES HILL,
CONRAD FEGER,	CYRUS CADWALLADER.

On motion of Mr. Breck and Mr. Cochran,  
Ordered, That when Senate adjourns, it will adjourn until 9 o'clock to-morrow morning.

On motion,

Mr. Raguet and Mr. Dickerson were appointed a committee to inform the House of Representatives that Senate is duly organised and ready to proceed to business.

A motion was made by Mr. Markley and Mr. Winter, and read as follows, to wit:

Whereas, the pressure of the times, and the general embarrassment in the different branches of domestic industry, imperiously demand such a system of economy and retrenchment, in the expenses of the government as will have a tendency to relieve the burdens of the people, and comport with the simplicity of our republican institutions:

Be it resolved, That a committee be appointed to enquire and report what reduction ought to be made in the pay of the members of the legislature, and in the salaries and fees of the several officers of this commonwealth.

Ordered, to lie on the table.

Mr. Davidson read a bill in his place, and on leave given presented the same to the chair, entitled "An act redu-



cing the salaries of the Governor and Secretary of the Commonwealth, which was read the first time.

Mr. Davidson also read a bill in his place, and on leave given presented the same to the chair, entitled "An act reducing the pay of the Members and Officers of the Legislature" which was read the first time.

On motion of Mr. Markley and Mr. Grosh,

Ordered that all the rules of the last Senate be adopted by the present, until otherwise ordered.

On motion of Mr. Breck and Mr. Piper,

The following resolution was twice read, considered and adopted, to wit :

Resolved, That each Member, the Clerk, Assistant Clerk, Sergeant at Arms and Door Keeper of the Senate be furnished with one daily news paper, or so many weekly news papers as shall not exceed the price of one daily news paper.

Adjourned until 9 o'clock to-morrow morning.



## WEDNESDAY, December 6, 1820.

Mr. Hubley presented two petitions of similar tenor from sundry inhabitants of Schuylkill county praying for a reduction of the compensation allowed to the members of the legislature, and the same were read and laid on the table.

Mr. Raguet presented a petition from the Apprentices' Library Company of Philadelphia praying that pecuniary aid and that a charter of incorporation may be granted to them, and said petition was read and referred to the members from the city and county of Philadelphia.

Mr. Leib presented a petition from the German Reformed Church in the Northern Liberties of the city of Philadelphia, praying to be authorised to raise, by way of lottery, the sum of seven thousand dollars, in order to discharge the debts they owe; and the same was read and referred to Mr. Leib, Mr. Cadwallader and Mr. Conyngham.

Mr. Grosh presented a petition and documents from Samuel Fahnestock and Obed Fahnestock, agents of the several Seventh Day Baptist Societies in this commonwealth, stating that a certain Richard Sparks did, by his last will, dated the 14th of January, 1715-16, bequeath a certain lot, in the city of Philadelphia, for a burying-place for the use of the people or society called Seventh Day Baptists, and that no such society now exists in said city. The petitioners therefore pray that they, or some other fit persons may be authorised by law to sell or improve the said lot for the purpose of erecting a monument to the memory of said Richard Sparks, by erecting two school houses, one at Ephrata, and the other in Franklin county, where the poor children of the several societies may be taught gratis; and said petition was read, and with the documents referred to Mr. Grosh, Mr. Wallace, Mr. Barnard, Mr. Smith and Mr. Piper.

Mr. Raguet presented a petition from the general conference of the Seventh Day Baptists, held at Piscataway, in New-Jersey, in September, 1820, praying that they may be authorised to dispose of a certain lot, in the city of Philadelphia, left to the society of Seventh Day Baptists, by Richard Sparks, deceased, by his will, dated January 14th, 1715-16; and said petition was read and referred to the last-named committee, and, on motion,

Ordered, That Mr. Raguet and Mr. Cochran be added to said committee.

The speaker laid before the Senate a letter from Thomas Leiper, on behalf of the electors of the state of Pennsylvania, now assembled at this place for electing a president and vice president of the United States, applying for the use of the Senate chamber, this day, at half past 11 o'clock; and the same was read and laid on the table.

On motion of Mr. Davidson and Mr. Hurst,

Ordered, That the request contained in the aforementioned letter be granted, and that the speaker inform the electors accordingly.

On motion,

Mr. Leib, Mr. Markley and Mr. Hurst, were appointed a committee, on the part of Senate, for the purposes expressed in the act, entitled, "An act to provide for the better preservation and increase of the library of this commonwealth."

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Coleman read a bill in his place, and on leave given, presented the same to the chair, entitled, "A supplement to an act, entitled, 'An act to provide for the erection of an additional court within the city and county of Lancaster,'" which was read the first time.

A motion was made by Mr. Markley and Mr. Grosh, and read as follows, to wit:

Resolved, That the following standing committees be appointed, to wit:

- |                  |  |
|------------------|--|
| 1 A committee on | Accounts,  |
| 2 _____ on the   | Judiciary,   |
| 3 _____ on the   | Militia System,                                    |
| 4 _____ on       | Banks,   |
| 5 _____ on       | Claims,  |
| 6 _____ to       | Compare bills and present<br>them to the Governor, |
| 7 _____ on       | Roads, Bridges, and Inland<br>Navigation,          |
| 8 _____ on       | Agriculture and Manufactures.                      |
| 9 _____ on       | Education.   |

Ordered to lie on the table.

On motion of Mr. Leib and Mr. Cochran,

Ordered, That when Senate adjourns, it will adjourn to meet to-morrow morning, at 11 o'clock, and that that be the stated hour of meeting on the morning of each day, until otherwise ordered.

Adjourned until that hour.

**THURSDAY, December 7, 1820.**

Mr. Leib presented a petition and documents from John Waters, stating his services on board the ship Hyder Ally, during the revolutionary war, and praying that some pecuniary relief may be granted to him; and the same was read and laid on the table.

Mr. Leib also presented a petition from Philip Schrader, a sol

dier of the revolutionary war, stating his services and sufferings, and praying that relief may be granted to him; and the same was read and laid on the table.

Mr. Winter presented a petition from Margaret Messinger and Jacob Messinger, executors of the last will and testament of Philip Messinger, deceased, and Michael Messinger and Joseph Folkison, guardians of the minor children of said deceased, praying to be authorised by law to sell and convey certain real estate; and said petition was read and referred to Mr. Winter, Mr. Barnard and Mr. Conyngham, with leave to report by bill or otherwise.

Mr. Porter and Mr. Anderson, a committee from the House of Representatives, being introduced, informed Senate that that house is duly organized and ready to proceed to business.

The clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follows, to wit:

*"In the House of Representatives, Dec. 6, 1820.*

On motion,

Ordered, That Mr. Estep and Mr. Wilkins be a committee, in conjunction with a committee from Senate, if Senate should appoint such committee, to inform the governor that the general assembly is organised and ready to receive his communications."

On motion,

Ordered, that Mr. Davidson and Mr. Piper be a committee, in conjunction with a committee from the House of Representatives, already appointed, to inform the governor that the general assembly is duly organised and ready to receive any communications he may be pleased to make.

Ordered, that the clerk inform the House of Representatives accordingly.

Mr. Breck presented a petition from the comptrollers of the public schools for the city and county of Philadelphia, praying that a law may be passed to authorise them to draw for monies on the county treasurer, without the interference of the county commissioners: and the same was read and referred to the members from the city and county of Philadelphia.

Mr. Breck also presented a petition from the Pennsylvania Institution for the *Deaf and Dumb*, praying for a charter of incorporation, and that such pecuniary aid may be granted to the society as the legislature may deem proper and expedient: and the same was read and referred to Mr. Breck, Mr. Coleman and Mr. Hubly.

Mr. Smith presented the petition of William Shannon, praying to be re-appointed sergeant at arms to the senate, and the same was read and laid on the table.

Mr. Eichelberger presented a petition and documents from George Seitel, an old soldier, praying for relief, and the same was read and laid on the table.

Mr. Fry presented the petition of Robert Dickey, praying to be re-appointed door keeper to the Senate: and the same was read and laid on the table.

Mr. Alter presented a petition from Jacob Fought, praying to be appointed door-keeper to the Senate: and the same was read and laid on the table.

Mr. Raguet presented a petition from sundry owners of houses and lots in the district of Spring Garden in the county of Philadelphia, praying that a law may be passed to give power to the court of quarter sessions, should they deem it expedient to vacate that part of ninth street which lies north of Callowhill street, as laid down in the plot of said district: and said petition was read and referred to the members from the city and county of Philadelphia.

Mr. Eyster presented a petition and documents from John Erb, praying to be divorced from the bonds of matrimony, and the same was read and referred to Mr. Eyster, Mr. Wallace and Mr. Leib.

Mr. Davidson from the committee appointed to wait upon the governor, and inform him that the General Assembly is duly organised and ready to proceed to business, reported that they have performed that service, and that the governor informed them that he would make his communication to both houses, by message, this day at 12 o'clock.

Mr. Breck presented a petition and documents from Elizabeth Reid, praying to be divorced from the bonds of matrimony; and said petition was read, and with the documents referred to Mr. Breck, Mr. Hill and Mr. Hurst.

Mr. Hubley presented a petition from John Hoff, a soldier of the revolutionary war, stating his services and sufferings, and praying for aid; and the same was read and laid on the table.

The speaker laid before the Senate a letter from Solomon Shaffer, soliciting to be appointed sergeant-at-arms to the Senate; and the same was read and laid on the table.

The speaker also laid before the Senate a letter from Joseph A. M'Jimsey, soliciting to be re-appointed clerk to the Senate; and the same was read and laid on the table.

Mr. Raguet, from the committee appointed on the 5th instant, to inform the House of Representatives that Senate is duly orga-



nised and ready to proceed to business, reported that they have performed that service.

The speaker laid before the Senate a letter from the secretary of the commonwealth, inclosing the proposals of sundry printers for performing the printing-work of Senate during the present session, and the same were read as follows, to wit:

*For printing the Journal in the English language,*

William Greer asks for 1375 copies, per sheet,	\$ 23 00
All incidental work in the same proportion.	
Hamilton & M'Ilwaine ask for 1375 copies, per sheet,	24 00
Incidental work in proportion.	
Christian Gleim asks for 1375, the usual number of copies, per sheet,	25 00
Incidental work in proportion.	

*For printing the Journal in the German language,*

Jacob Schnee asks for the usual number of copies, including figure-work, per sheet, - - - - -	\$ 12 00
Christian J. Hutter asks for the usual number of copies, including figure and rule-work, per sheet, - - - - -	12 00
H. W. Peterson asks for the usual number of copies, per sheet, - - - - -	12 00
Charles A. Bruckman asks for the usual number of copies, including figure-work, per sheet, - - - - -	12 00
Benjamin Grimler asks, per sheet, - - - - -	13 00
John Bear asks for the usual number of copies, per sheet, - - - - -	14 00
Jacob Stoever asks per sheet, including figure-work, - - - - -	14 00
John Ritter & Co. ask for common and figure-work, per sheet, - - - - -	14 00
Henry B. Sage asks for the customary number of copies, per sheet, - - - - -	14 00
John Royer asks for 400 copies, per sheet, - - - - -	14 00
William White asks for the usual number of copies, agreeably to resolution, per sheet, - - - - -	14 50
Weiss & Patterson ask for the usual number of copies, per sheet, - - - - -	14 50
Extra work in proportion.	
Henry Miller asks, per sheet, - - - - -	15 00

*For printing the Bills,*

John M'Farland asks, on new type, and paper of the customary quality per page, - - - - -	\$ 00 87½
William Greer asks, on good paper, per page, - - - - -	1 00

John S. Wiestling asks, per page, containing 1200 m's,  
as established by resolution of the legislature, - 1 25  
John Wyeth asks for the usual number, per page, - 1 25  
Any extra number in the same proportion.  
Hamilton & M'Ilwaine ask for the usual number of co-  
pies, per page, - - - - - 1 25

*Sureties for the faithful performance of the foregoing work.*

William Greer offers John Kendall & John Shoch, Esq.  
Hamilton & M'Ilwaine offer Jacob Zeigler & George Beatty.  
Christian Gleim offers Obed Fahnestock & Jacob Miller, Esqrs.  
John Wyeth offers Obed Fahnestock, Esq. & Peter Keller.  
John S. Wiestling offers Obed Fahnestock & John Zinn, Esqrs.  
John M'Farland offers James Duncan, Esq. & Barnett Aughen-  
baugh.  
Henry Miller offers George Beekel & Peter Long.  
William White offers Abraham Fackler & George Boyer, junr.  
John Royer offers Philip S. Markley & Isaiah Wells, Esqrs.  
Weiss & Patterson offer James M. Porter & Jacob Weygandt,  
jr. Esqrs.  
Henry B. Sage offers Conrad Feger & Joseph Good, Esqrs.  
John Ritter & Co. offer Conrad Feger & Jacob Schneider, Esqrs.  
Jacob Stoever offers John Sawyer & Benjamin Mayer, Esqrs.  
John Bear offers John Musser & George Withers, Esqrs.  
Benjamin Grimler offers Jacob Grosh & Casper Shaffner, junr.  
Esqrs.  
Charles A. Bruckman offers Daniel Rose, Esq. & Jacob K.  
Boyer.  
H. W. Peterson offers John Fry, senr. Esq. & Capt. T. Craig-  
head.  
Christian J. Hutter offers Henry Winter & Dan Dimmick, Esqrs.  
Jacob Schnee offers G. B. Porter, J. Bucher & E. Crouch, Esqrs.

On motion,

Ordered, That the usual number of copies of said proposals be printed for the use of the members.

On motion of Mr. Leib and Mr. Alter,

Ordered, That the election of clerk, sergeant-at-arms and door-keeper, be the order of the day for to-morrow.

A motion was made by Mr. Breck and Mr. Leib, and read as follows, to wit:

Resolved, That the clerk be and he is hereby authorised and required to receive the several accounts due by the members of the house for postage of letters during the present session, and pay the same out of the contingent fund.

Ordered to lie on the table.

A motion was made by Mr. Davidson and Mr. Grosh, and read as follows, to wit:

WHEREAS, by an act of the general assembly, passed on the 19th day of March, 1816, the secretary of the commonwealth and surveyor-general were authorised and required immediately to contract with a suitable person or persons for the formation of a map of each county in the commonwealth, and on the receipt of the said maps, or as soon as they might deem expedient, contract with some suitable person for the publication of a map of Pennsylvania, the original county maps to be furnished to the publisher by the surveyor-general as soon as they were received, examined, corrected and copied by him, for the purpose of making a connected map of the state, as aforesaid:

Therefore,

Resolved, That the secretary of the commonwealth and surveyor-general be and they hereby are required to lay before the Senate a statement of the progress of the state map, particularly noting the causes of delay, whether in the contractors for the county maps, or either of them, or in the contractor for the state map, or from circumstances out of the controul of either, and such other information relative thereto as in their opinion the public interest requires.

On motion,

Said resolution was again read, considered and adopted.

On motion of Mr. Markley and Mr. Power,

The resolution read yesterday, on the subject of standing committees, was again read, considered and adopted, and the several items referred as follows, to wit:

1. *Accounts.* To Mr. Davidson, Mr. Wallace, Mr. Cadwallader, Mr. Feger and Mr. Alter.
2. *The Judiciary System.* To Mr. Markley, Mr. Hill, Mr. Smith, Mr. Hubley and Mr. Piper.
3. *The Militia System.* To Mr. Barnard, Mr. Markley, Mr. Power, Mr. Eichelberger, Mr. Winter, Mr. Hill and Mr. Cochran.
4. *Banks.* To Mr. Grosh, Mr. Willet, Mr. Leib, Mr. Eyster and Mr. Dickerson.
5. *Claims.* To Mr. Dickerson, Mr. Fry, Mr. M'Mullin, Mr. Allshouse and Mr. Sawyer.
6. *To compare Bills.* Mr. Coleman, Mr. Conyngham and Mr. Winter.

7. *Roads, Bridges and Inland Navigation.* To Mr. Breck, Mr. Hurst, Mr. Piper, Mr. Davidson and Mr. Willett.
8. *Agriculture and Domestic Manufactures.* To Mr. Cochran, Mr. Fry, Mr. Cadwallader, Mr. Hurst and Mr. Alter.
9. *Education.* To Mr. Raguet, Mr. Smith, Mr. Davidson, Mr. Power and Mr. Conyngham.

The secretary of the commonwealth being introduced, presented a message from the governor, together with the documents therein alluded to, which were read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

FELLOW CITIZENS,

The assemblage of legislative bodies, composed of representatives of the people from all parts of the state, furnishes an interesting commentary upon the theory and principles of republican government; in which by an equal representation of all the parts, the interests of the whole can scarcely fail to be practically understood, faithfully promoted, and perfectly secured.

The continuance of our civil and religious privileges unimpaired, together with the numerous blessings we enjoy, and especially the bounteous rewards of the labor of the husbandman in the abundant harvests and fruits of the earth, and the merciful preservation of our metropolis from the scourge of a threatened pestilence during the past season, demand our fervent gratitude and devout acknowledgements to the supreme author of all good.

Pennsylvania has long been deservedly distinguished for her agricultural skill and industry; and notwithstanding the many discouragements which prevail, the improvements in this invaluable pursuit are supplying increased products from the soil, that will be substantial resources for comfort, convenience and profit, under every vicissitude of our country: and it is gratifying to observe, that the pecuniary embarrassments which have been so generally felt throughout the state, are yielding to an invigorated industry and exemplary economy, that must, if persevered in, eventually afford an essential relief.

The limited demand for, and consequent low prices of, our agricultural products in foreign markets, cannot fail to suggest the necessity as well as the policy of promoting domestic manufactures, which, if properly encouraged, would provide a sufficient home market for all our surplus produce. Whatever may be expected from legislative enactments, whether by the national

or state governments, in aid of domestic industry, not less is to be hoped from the influence of examples that shall tend to eradicate the prejudices and unnatural predilections of those who prefer to encourage the industry of Europe and Asia to that of their own country.

The wise and judicious policy of the general government in its vigorous and successful exertions to extinguish the public debt, and to provide for the permanent defence of the country, as well as its firmness and moderation in our foreign relations, have not only confirmed the high respect entertained for its character at home and abroad, but it is trusted, have laid the foundations of a long and honorable peace. While the people of this nation shall by their public agents thus persevere in providing for the public safety, in cultivating friendly relations with all the world upon the principles of moral justice, and in cherishing a patriotic regard for national, in preference to local or partial interests, the United States must continue to advance to that high prosperity and permanent security, for which they appear to have been destined by the supreme ruler of the universe.

The various duties which devolved upon the executive department during the recess, have been either executed or are in progress of fulfilment. The commissioners for the superintendence of the state capitol have made a further contract, under the act of last session, for the erection of stone columns, and coppering parts of the roof: copies of which will be laid before you. The capitol is in such forwardness as to justify the expectation that it will be ready for the accommodation of the legislature at their next session; and with a view to that object, a further appropriation will be requisite to provide the necessary furniture.

In the month of April last, I received notice that a general meeting of the stockholders of the "company for erecting a bridge over the Susquehanna river, in the county of Lancaster, at or near the town of Columbia," had been called, for the purpose of enquiring into some supposed mismanagement of the board of directors. The commonwealth having a considerable interest in the stock of that company, I appointed GEORGE B. PORTER, Esq. an agent, to represent it, at the aforesaid meeting of the stockholders. A copy of his report to me, herewith communicated, will shew the propriety of a vigilant attention to the management of companies in whose stock the commonwealth holds an interest.

The constitutional provision, directing that an enumeration of the taxable inhabitants of the state shall be made every seven years, with a view to the apportionment of the members of the legislature in the several counties, will require a law to be passed at the present session to carry it into effect.



The act to continue the district court for the city and county of Philadelphia, will expire by its own limitation on the 30th of March next. Unless it should be deemed advisable to effect such a revision of the judiciary system, as to prevent the necessity of temporary expedients to remedy its defects, the mass of business in the common pleas of that district, will probably require a continuance of this court.

It is now generally admitted that the system of punishing criminals by confinement at hard labor, as it has been established in Pennsylvania, having for its object their reformation and consequent restoration to usefulness in society, does not answer the humane purposes intended by its authors; and I would recommend to your attention a further effort to remedy its defects.

The state penitentiary at Pittsburg is constructing upon a plan which contemplates the separate and solitary confinement of 220 prisoners. But as it was necessary to provide for the confinement of a greater number, the same law which directed its construction, authorised the sale of the old prison of the city and county of Philadelphia, and the appropriation of the proceeds to the erection of a prison in the vicinity of that city, similar to that proposed at Pittsburg. This part of the law has not been carried into effect; and I would recommend for your consideration, the propriety of making such a disposition of the new Philadelphia prison, which is considered as the exclusive property of the commonwealth, as would adapt it to the plan of solitary confinement, and also to separate it from all connection with the prison of the city and county; as there can be no sufficient reason for connecting the state prison with a local prison, when the funds are, or ought to be, drawn from distinct sources, and the accounts kept entirely separate.

The ardor and zeal of our young men for improvements in military discipline, are evinced by numerous associations of volunteer corps in various parts of the state: but our militia system still labors under many and important defects, some of which may be seen by referring to the reports of the officers that have been from time to time communicated to the legislature. The system has, moreover, under the present law, subjected the commonwealth to a heavy annual expense, without affording any adequate degree of force or efficiency; which consideration, alone, is of sufficient importance to justify a review of its provisions.

The subject of internal improvement will necessarily again occupy the attention of the legislature. My views on this important branch of our internal economy, have been fully communicated in former messages; but I cannot forbear again to urge the

importance of an effort to direct public attention to some leading objects of unquestionable usefulness, by means of a board of commissioners, whose business it will be to ascertain facts for the information of the legislature in their future undertakings. It is believed that such a measure would ensure the accomplishment of the most valuable works, and, at the same time, avoid an improvident disbursement of public money.

The whole amount of money expended by the commonwealth in public improvements for the last fifteen years, exceeds \$1,567,216. The number of miles of turnpike road ascertained on the 1st of December, 1818, was 980. Since that time 340 miles more have been made; making a total of 1320 miles of stone and gravel turnpike road, that have been completed, and by far the greater part within the same time, which, at an average of \$5000 a mile, will have cost \$6,600,000. Many important objects have been effected, and the agriculture and internal commerce of the state greatly promoted, by the enterprize of our citizens, aided by the liberality of the commonwealth. But if the application of the public money had been more generally confined, in the first instance, to the improvement of leading channels of communication, there cannot be a doubt, but that the benefits arising from the disbursements would have been more sensibly realized, and the eventual opening of the tributary channels more easily and successfully accomplished.

The commonwealth possesses a large interest in several turnpike roads, leading to its west and north-west borders, from which but a very inconsiderable revenue can be expected for a number of years; and seeing the great importance of facilitating a cheap communication through the interior of the state, I would suggest for your consideration the propriety of effecting, by means of the state interest, such an arrangement with the companies interested in those roads, as would either make a permanent reduction of their tolls, or permit wheels of a certain width to pass toll free. Such a measure would not only be highly beneficial to the business of our eastern and western cities, but the intermediate counties through which transporting teams must pass, would derive a full share of the advantage.

Considerable sums of money have been expended from time to time, in the endowment of academies, from which the community have not derived any adequate advantage. These academies were originally chiefly intended as preparatory schools for those who were designed for the higher branches of education, but no condition for that purpose having been made in the laws granting the endowments, they have in many instances dwindled into primary schools, of the lowest order, and in some cases are totally vacant. It but too frequently happens that those to

whom the most liberal grants of public money are made, become the least inclined to the exercise of public spirit, and hence the necessity of annexing such conditions to grants of money as will ensure the accomplishment of the views of the government in making them.

There is no object more desirable in a republic, than the general diffusion of the means of knowledge. Education not only enlarges the power of the human capacity for the accomplishment of whatever tends to advance the public welfare, but it is the natural enemy of vice, and promoter of virtue. It moreover constitutes the only effectual protection against the deceptive arts and bold designs of the enemies of republican government.—The promotion of so invaluable an object, cannot fail to receive a share of legislative attention.

A diminution in various branches of the revenue, which has arisen from the same causes that depress the business of individuals, will suggest the necessity of a careful attention to the financial concerns of the commonwealth.

The large appropriations of money for internal improvement and other purposes, made prior to the 30th November, 1817, and unpaid on that day, amounting to \$1,187,042 71, have made it necessary since to resort to loans, to a limited extent, to meet the demands upon the treasury. The whole amount of debt on account of these loans, on the 30th of November last, including \$150,000, borrowed in pursuance of acts of the last session, was \$430,000. During the same time there has been paid, on account of appropriations, made prior to the 30th November, 1817, \$755,001 19; which exceeds the amount of the loans by \$325,001 19; making an actual reduction of the state debt, by that sum, in three years, exclusive of the payment of \$76,091 88, towards the erection of the state capitol, and \$56,852 63, for the Pittsburg penitentiary.

It was probably expected, when these large appropriations were made, that the ordinary revenues of the commonwealth would have been sufficient to meet them, without resorting to loans. The very great and unexpected reduction of these revenues, has disappointed this expectation; but as the commonwealth has been enabled, even with its diminished income, to accomplish some important undertakings, and at the same time to effect a considerable reduction of the public debt, there is reason to believe that with proper economy and management of the resources, its credit may be fully sustained as heretofore. This object might be somewhat aided by a prudent retrenchment of the expenditures in the civil as well as the military department of the government.

A revision of the laws establishing the fee bill is also worthy of legislative attention. And as the rate of compensation to

public officers ought to be regulated by the degree of responsibility attached to them, together with the expense of subsistence, there will be, with these guides, but little difficulty in fixing upon a standard that shall neither be so high as to offer temptations to avarice, nor so low as to exclude all but the rich from any participation in public affairs.

The balance in the treasury on the 30th November, was \$27,369 96; which, together with the ordinary revenue, and a loan of \$ 50,000, negotiated since the annual accounts were made up, will be considerably more than sufficient to meet the ordinary expenses of the ensuing year.

It is ascertained that nearly the whole of the appropriation for the Pittsburg prison has been expended; and the report of the commissioners herewith transmitted, exhibits an estimate of the probable expense of completing that part of the work which has been commenced.

The balance of the claims of the commonwealth on the United States for militia expenses during the late war, and an old claim growing out of the western expedition in 1794, which, by the assiduous attention of the auditor-general, are now in a course of examination at the war department, and, as appears by his report to me, (a copy of which is herewith transmitted,) will probably be finally liquidated in a short time, together with the remainder of the loan authorised by the act of 28th March, 1820, will constitute a surplus fund, applicable to existing engagements under special appropriations, for which some further provision will still be necessary: and should it be determined to extend the system heretofore pursued in relation to internal improvements, by any considerable appropriations of money, it will be indispensable to provide further revenues to maintain the credit of the commonwealth, and meet its engagements with punctuality and good faith.

A regard for the public, rather than individual and local interests, will always be found the most unerring guide by which to direct the course of those who are entrusted with public affairs: and, although about to retire from the highly responsible station to which I had been called by the suffrages of my fellow-citizens, and probably to take a final leave of the cares of public life, I can never cease to cherish that ardent desire for the welfare of my native state, which, I trust, has actuated my conduct through a long course of public service. There is a gratification in the conscious love of country, and unceasing solicitude for its interests, which no circumstances can destroy. My public life has no doubt been clouded by many errors of the judgment; but in reviewing the numerous intrinsic difficulties which pertain to the exercise of an extensive patronage, and especially when an inordinate avidity for power and emolument

were so prevalent, I shall always regard it as a source of high satisfaction, that every attempt on the part of ambitious individuals, or secret associations, to exercise an unconstitutional control over the executive authority of the commonwealth, has been successfully resisted, during the period those functions have been entrusted to my care. No one can be more sensible than I am of the duty of every citizen to submit to the public will, as ascertained according to the forms of constitutional law; and being supported by the silent voice of an approving conscience, I shall retire from the arduous cares of public service, perceiving but little to regret upon a review of the past, and not more to apprehend from the just decision of posterity.

I conclude, fellow-citizens, with humbly beseeching the God of nations that he will continue to bless our country, and maintain to the latest posterity the principles and institutions of its governments; and that he may, in an especial manner, guide, direct and prosper the destinies of this my native state.

WILLIAM FINDLAY.

*Harrisburg, December 7, 1820.*

HARRISBURG, APRIL 21, 1820.

*To the Commissioners appointed for the erection of the State Capitol.*

Gentlemen,

An act having passed during the late session of the legislature, containing an appropriation for erecting the columns and capitals of the state capitol of hewn stone, and for covering the dome and four corners with copper; and having in a former contract undertaken to erect the columns with bricks plastered, and to shingle the dome and four corners, I do now offer to build the said columns and capitals of hewn stone for an additional sum of two thousand dollars for each and every column, and I also offer to cover the dome and the four square corners (left by the circle of the dome) with copper, for the additional sum of three thousand dollars.

I am, gentlemen,

respectfully your

obedient servant.

STEPHEN HILLS.

We, the commissioners for the erection of a state capitol at Harrisburg, agree to contract with Stephen Hills, on the terms contained and specified in the above proposals, he giving bond

## JOURNAL OF

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social performance of 2011

WILLIAM FORD.

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JOHN R. GREGG

WILLIAM GRUBBS

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On April 12, 1961, the following information was received from the Bureau of Customs and Border Protection:

The Bureau of Customs and Border Protection has advised that it has received information regarding the activities of the Cuban Revolutionary Council (CRC) in the United States.

The following is a list of the names of the persons who have been appointed to the various positions in the State of New York, for the year 1888, by the Governor, under the provisions of the Constitution:

complete and workmanlike manner, then the said obligation to be void, but otherwise to be and remain in full force and virtue.

STEPHEN HILLS, (L. S.)

*Witness present.*

M. MUSGRAVE,

DANL. J. HESTER.

*To his Excellency WILLIAM FINDLAY, Governor of the Commonwealth of Pennsylvania—*

*SIR,*

In pursuance of your authority, in writing, under the great seal of the state, bearing date the seventeenth day of April last, informing me that a meeting of the stockholders of the Susquehanna Bridge Company was to be held on the then 19th instant, for the purpose of consulting and determining upon measures affecting the interests of the said company, and requesting me to attend and represent the interests of the commonwealth at the said meeting, and to do all matters and things in relation thereto for the benefit of the commonwealth, which a representative of its interests in such case might lawfully do. I attended at the bridge office in Columbia on the said nineteenth day of April last. The meeting of the stockholders was large and respectable. After making some enquiries and examinations in the books of the company, the meeting appointed Adam Reigart, Esquire, Molton C. Rogers, Esquire, Benjamin Ober, William M'Knight and myself, a committee to examine and report to a meeting of the stockholders, to be held on the fourth day of May following, the situation of the affairs of the institution, the manner in which the same had been conducted, and what further proceedings should be adopted for the advantage of the institution and those interested therein.

On the fourth day of May following I again attended a meeting of the stockholders at the bridge office, when the following report was made:

The committee appointed on the 19th ultimo, at a meeting of the stockholders of the company for erecting a bridge over the Susquehanna river, in the county of Lancaster, at or near the town of Columbia, to examine and make report of the situation of the affairs of the institution, the manner in which the same has been conducted, and what further proceedings should be adopted for the advantage of the institution and those interested therein, make the following report:

That the annexed statement, marked A, exhibited by the treasurer, shews the present situation of the affairs of the institu-

tion, and embraces perhaps all that was intended by the first part of the resolution.

The committee would be much pleased if they could as easily report on the second part of the resolution, viz :—the manner in which the institution has been conducted. This however they cannot do, nor can they from the limited knowledge they have acquired, and the want of time, make as satisfactory a report as they could wish.

It appears that on the sixteenth of September, 1819, the board passed the following resolution. "Resolved, That the treasurer be, and he is hereby authorised and empowered to receive a transfer of all or any part of the new stock in payment of debts due this company, to take the said stock at par and allow interest on the same since the first day of August, 1818, and take bonds for such balance as may be due to the company, agreeably to the resolution of the 26th of August, 1819." Before this resolution was published, which was not until the 12th of November following, there was \$17,900 of stock transferred to the company in payment of debts due, the chief of which was transferred by managers of the institution. There has since been transferred \$38,000 of stock, making the whole amount of stock received under the said resolution \$55,900.

Of this procedure the committee cannot approve. If it was found advantageous to the institution to take stock in payment of debts, it should have been taken at the current price of the day on which it was paid into the company. The current price of the stock was then very much below par. Instances have been mentioned in which it was bought up at 59 per cent. But, after taking the stock at par, to allow interest thereon from the 1st of August, 1818, is too absurd and unjust to meet the approbation of any disinterested mind. The committee believe that the board had no power to pass such a resolution :—that it was prejudicial to the interests of the institution, and the managers should have been the last instead of the first persons to avail themselves of it. The committee are of opinion that the then president and managers (if not all others) should yet be compelled to settle their accounts by allowing for the stock transferred only at the current price thereof at the time the transfer was made, and that they should be compelled to refund the interest received or allowed them on the stock from the 1st day of August, 1818.

A number of bonds, payable in 1, 2, 3, 4 and 5 years, have been taken in payment of notes, &c. due, without security, the interest not payable annually, but included in the bonds. This the committee also consider as improper. Had the board, agreeably to a resolution of the 26th of August, 1819, in cases of bad



debts, "taken bonds with approved security, payable in five equal annual payments, with interest, and the security to be approved by the board," it would have been for the advantage of the institution. But taking bonds payable many years hence, without security and without having the interest payable annually or semi-annually, was certainly prejudicial to the institution, and gives a full opportunity to the obligors to dispose of their property and evade the payment entirely. The committee believe the president, or persons taking these bonds without having the approbation of the board, is liable and should be compelled to make good the same.

There was also, on the 23d of September, 1819, the following strange procedure had by the board, at a meeting attended by William Wright the president, and four managers, the impropriety of which must be admitted by all, viz:—"William Wright proposed to give John L. Wright's and William Wright's bonds, five in number, payable in 1, 2, 3, 4 and 5 years, with interest, amounting the principal to \$3,500, in part payment and on account of his bond already held by the company, now due, for \$6,090 with interest from the 14th of November, 1817, which was agreed to," which bonds were accordingly given. Thus did William Wright, president, form one of five, (which number is requisite to form a quorum,) act in his own case and have the payment of money due by him for near two years deferred, 1, 2, 3, 4 and 5 years longer. This the committee believe could not be legally done, and are of opinion he should be compelled to pay the whole amount forthwith.

There are also many cases where the then president and managers were endorsers on notes, or were otherwise bound for debts due the company, and by their own acts were released from their endorsements, &c. In such cases the committee are of opinion they are still liable, and should be compelled to make good any loss the company may sustain by this act of their own releasing themselves.—One case in particular of this description, is that of the mortgage on property in York county, now in dispute, assigned by Jonathan Mifflin to the company, to discharge his note of \$5,046 74, on which William Wright, then president of the company, was endorser.

There is also one transaction concerning, which, the committee have not acquired the necessary information which they think requires a minute investigation. They allude to a mortgage given by ——— Kirk. This mortgage the committee have been informed, was the property of the company at one time, and was sold or exchanged by the president and managers for stock taken at par, and interest from August, 1818.

If this be the correct history of the transaction, it is evident that it was improper—If the mortgage was well secured and considered safe, it would have been of more value to the company than the stock which was received for it. But what right had the president and managers thus to act? If the resolution of the 16th of September last, was legal, it does not embrace this case, for it does not appear that the stock was received in payment of a debt due, but it was a sale of the mortgage for the stock. The committee therefore believe that the company have an equitable title to this mortgage, on returning the stock taken in exchange for it, and think that a recovery should be attempted.

There has also been much neglect on the part of the officers of the company, in not demanding payment of even the interest on bonds and notes due, for which, it is believed, they could be made liable.

The committee earnestly recommend to the board, the propriety and necessity of employing an able counsellor, to advise them on all these points. They would also recommend that payment of all the bonds and notes now due, should be demanded, and if not paid, or the payment secured, that they be immediately put in suit. That the same course should be pursued with the other notes and bonds as they become due; and that in cases where the payment shall be secured, the whole of the interest should be paid up to the present time, and the interest be made payable semi-annually in future.

The committee would also recommend retrenchment in the expenses of the institution. There is now but little for the treasurer to do, and of course he cannot expect so much salary as heretofore. The sums heretofore paid the gate-keepers are also too great; and honest and trusty men can no doubt be found, who would discharge their duties correctly, for one third less than has been heretofore paid.

The committee would also bring into view the tolls now charged for crossing the bridge. It is the opinion of many persons that lowering the tolls would be more to the advantage of the stockholders, as persons would not then strive so much to evade coming over the bridge.

Signed

**ADAM REIGART,  
GEORGE B. PORTER,  
WILLIAM M'KNIGHT,  
BENJAMIN OBER.**

## STATE OF THE BRIDGE OFFICE

AT

COLUMBIA, PENNSYLVANIA.

DR.

To notes discounted, due 20th April, \$63,543 78	
Bonds, judgments, mortgages and stock notes,	58,730 34—122,274 12
Cash on hand in bridge notes,	721 05
Foreign notes, gold and silver,	7,673 35— 8,394 40
Bridge cost, of inclusive, &c.	231,571 49
Real estate, bridge office property,	12,000
Do. in borough and York county,	2,840
Bank stock—40 shares in Farmers bank of Lancaster,	2,000
Repairs of bridge materials, work, &c.	3,817 99
Expenses—salaries of officers and other expenses,	3,467 38
Profit and loss—interest on money borrowed,	1,181 53
Bridge stock on hand—part received in payment from debtors and other forfeited,	83,400
Bridge stock unsettled, for which there is neither bond or note given to be settled,	4,684
Balance due from York bank and bank of the United States,	95 36
	<hr/>
	475,726 27

CR.

By capital stock,	\$400,000
Bridge notes issued—balance remaining,	6,388 64
Contingent fund—profit set apart,	22,313 18
Tolls of bridge received since August, 1818,	17,696 10
Balance of discount received do.	11,228 02
Dividends not demanded and unpaid,	3,474
Balance due bank of Pennsylvania,	1 84
Note payable at bank—United States,	2,000
Do. Edward Wilson, Philadelphia,	5,000
Balance due depositors,	7,624 49
	<hr/>
Errors excepted.	475,726 27

Signed WILLIAM P. BEATY,

Treasurer.

Which report was read, considered and adopted.

I again attended at the bridge office on the first Monday in July, being the day appointed by law for the annual election of president, managers and treasurer, and was pleased to find that the stockholders had come to the determination of making at least, a partial change in the direction of the institution; and succeeded in electing a new president and eight new managers. My own opinion was, that it was time a change should be made, and there is reason to believe that the proceedings at the two former meetings, had some effect in producing this change. I am now well convinced that the present president, and those managers who attend the meetings of the board, have, since their election, been doing every thing in their power which they conceive would be for the benefit of the institution.

I cannot close this report without suggesting the opinion, that some act should be done by the legislature, more effectually to secure the great interest which the commonwealth has in this company or bridge. Although holding \$90,000 of stock, the state has no more say, or in other words, can give no more votes than an individual holding a few shares; indeed it seems doubtful whether the state can even vote for managers of the institution, as the law does not point out either the mode in which it shall be done; the officer who shall represent the commonwealth, or in what manner authority can be given to any one to vote at the election.

The funds, stock and real estate of the bridge company, have also become so blended with the new stock or banking company, that it would be a very difficult matter to separate them; and upon winding up the latter, it is supposed by many that the original bridge company will be brought in debt to the new stockholders or banking company several thousand dollars; this would of course fall on the bridge, and payment would perhaps be sought by a levy and sale of the bridge, which would be extremely detrimental to the interests of the commonwealth.—Some provision I think should be made by which the funds of each set of stockholders could be ascertained; what the profits and loss on each stock have been; to which set of stockholders the real property properly belong; and that the accounts of each might be finally liquidated and adjusted.

I cannot give such information on this subject as I could wish, but I have thought it my duty to mention it to you, and I am very certain that William Vickary, Esq. the present president of the company, will, on being called upon, most cheerfully give any further information which may be desired.

I have the honor to be,

With sentiments of the highest respect and esteem,

Your friend and obedient servant,

G. B. PORTER.

*To his Excellency William Findlay, Esq. Governor of the Commonwealth of Pennsylvania—*

The commissioners for the erection of a State Penitentiary on the public land adjoining the town of Alleghany, opposite Pittsburg, in the county of Alleghany,

**Report—**

That in consequence of the exhausted state of the appropriation granted by the act of assembly, authorising the erection of the penitentiary, they have been unable to render the progress of the building, equal to their own desires or the views of the legislature. They have however made such application of the funds at their command, as to place the work in the greatest state of forwardness, comporting with the strict economy they have been compelled to keep in view.

It will be perceived, by reference to the preceding reports of the commissioners, that the original appropriation of sixty thousand dollars, the amount of thirty-five thousand four hundred and twenty-five dollars thirty-two and three fourths cents, had been expended, previous to the commencement of the present session; leaving the balance of twenty-four thousand five hundred and seventy-four dollars sixty-seven and one fourth cents, to meet the expenditures of the current year. This sum being considerably within the amount, which would have been required, had all these workmen been employed, who could have worked to advantage at the different parts of the building, the commissioners were under the necessity of considerably restricting their operations. They have, however, raised the outward wall to the height of twenty-two feet, which is within three feet of its contemplated height; and they have completed the first story of the main building and towers; all which has been executed in a superior style of workmanship, and much to the satisfaction of the commissioners.

The expenditures of the present season have amounted to the sum of twenty-one thousand four hundred and twenty-eight dollars ninety-two and one fourth cents; which, in addition to the sum of thirty-five thousand four hundred and twenty-five dollars thirty-two and three-fourth cents, mentioned in the report of the last year, makes the whole expenditures amount to fifty-six thousand eight hundred and fifty-four dollars twenty-five cents, leaving a balance of three thousand one hundred and forty-five dollars seventy-five cents; the greater part of which, will be required in the course of the present winter, to pay for joists, lumber and boards, which have been contracted for and are daily expect-

ted to be delivered. It rests, therefore, with the legislature, to make such further provision for the erection of the building, as they may deem expedient; and the commissioners submit for their inspection, an estimate of the probable expense of completing that part of the work which has been commenced: viz.

For completing the walls of the main building and towers,	\$8,915
Outward wall, exclusive of capping,	1,392
Window heads, sills and other cut stone,	9,500
Carpenters work and materials, including roofs and floors, complete,	5,000
Grates and other iron work,	4,600
Lime,	750
Total	<hr/> \$24,157

In this estimate no provision is made for salaries and other incidental expenses. It will also be perceived, that no mention is made of the cells, culvert, or panopticon.

At the last session of the legislature, the commissioners wishing to make some alterations in the interior arrangements of the cells; and also wishing to procure some further appropriation, to enable them to advance more rapidly in the work, directed the superintendant to repair to Harrisburg, to give such information as might be required of him. The alterations suggested by him were adopted, but it was deemed inexpedient at that time, to request further aid than might be afforded by a consolidation of the two last installments of the appropriation.

At the desire of the commissioners, the superintendant will again present himself to the legislature, and they beg leave to refer him for information on these points, not touched upon in this report.

All which is most respectfully submitted.

**JAMES ROSS,**  
**GEORGE STEVENSON,**  
**WILLIAM WILKINS,**  
**JOHN SCULL,**  
**ABNER BARKER.**

*Pittsburg, November 15th, 1820.*

*Auditor General's Office, 28th November, 1820.*

SIR,

On the subject of the accounts of the expenditures by the state of Pennsylvania, in the late war with Great Britain, to

which you have called my attention, I respectfully submit the following statement and observations:

Amount of account of disbursements, furnished the proper officers at Washington city, December, 1815,	\$268,556 82
Of account of disbursements furnished same officers in October, 1817,	32,292 86
Of account of disbursements furnished same officers in September, 1818,	3,766 90
Of account of disbursements furnished same officers in October, 1820,	591 28
	<hr/>
	\$305,207 86

On these several accounts, the following mentioned advances have been made on a general view of the vouchers, viz:

1816, May,	\$ 75,000
August,	100,000
1817, May,	75,000
November,	30,000
	<hr/>
	\$280,000

Leaving a balance for the final adjustment of the accounts of (in principal,)	\$25,207 86
	<hr/>

\$305,207 86

There is besides the foregoing, an account of arms and other property of the state of Pennsylvania, which were left in the hands of a United States officer, in the late war, and which I charged to the United States, in pursuance of the act of the 17th February, 1818.—This account was furnished to the proper officers at the city of Washington, in September, 1818, and amounts to \$25,845 02.

The principal part of this account consists of the arms belonging to General Tannehill's brigade, and which were left in the hands of a United States officer; it is now alleged without any desire on the part of that officer, but merely as a safe deposit on the withdrawing of that brigade from the service of the United States. I am, however, pursuing the necessary measures for a developement of this business.

There is likewise a part of the old claim on the United States, arising out of the western insurrection in 1794, revived; and

will, I expect, be paid in the present winter; amounting to upwards of \$13,000.

I visited the city of Washington lately, for the express purpose of bringing all these accounts to a close, and I have well grounded expectations of accomplishing my object in a short time.

A considerable deduction has been made by the United States officers from our accounts of expenditures in the late war, for military stores and camp equipage. In making up the accounts against the U. States, I very carefully brought into view every thing which had been used in the U. States or state service in the late war: for instance, I charged all the military stores, procured for the defence of Erie; and it appears that no part of these had been so used, but in the account as furnished by me, to the United States, I expressly provided for a credit for all such items as had not been used, until a final adjustment; therefore I cannot say how much may be expected to arise from these accounts. I have laid in a claim for interest on our advances on each account when it was furnished—the interest will form a very considerable claim, and is, in equity, quite as good as our claim of principal.

I am sir,

With high respect,

Your most obedient servant,

GEO. BRYAN.

*His Excellency the Governor of }  
Pennsylvania.*

Ordered, to lie on the table.

On motion of Mr. Grosh and Mr. Markley,

Ordered, that the usual number of copies of the foregoing message, be printed for the use of the members.

Adjourned until 11 o'clock to-morrow morning.



**FRIDAY, December 8, 1820.**

Mr. Allshouse presented three petitions of similar tenor from sundry citizens of this commonwealth, praying that a law may be passed to reduce the salaries of the several officers of government, and that a revision of the general fee-bill may take place, and said petitions were read and referred to the committee on the judiciary system.

The speaker laid before the Senate a letter from John De Pui, soliciting to be appointed clerk to the Senate, and the same was read and laid on the table.

The speaker also laid before the Senate a letter from Weiss & Patterson, praying to print the journals of Senate in the German language, at twelve dollars per sheet; and offering as their sureties the persons named in their former proposals: and the same was read and laid on the table.

Agreeably to order,

The Senate proceeded to the election of clerk, (Mr. Davidson and Mr. Piper being appointed tellers), and upon ascertaining the votes, Joseph A. M'Jimsey, had twenty-two votes, and John De Pui had seven votes: so it appeared that Joseph A. M'Jimsey was duly elected, to whom the requisite oaths were administered by the speaker.

Whereupon,

The clerk nominated Samuel Conrad as his assistant, which nomination was approved of by the Senate.

Agreeably to order,

The Senate then proceeded to the election of sergeant-at-arms, (the clerks being appointed tellers), and upon ascertaining the votes, it appeared that William Shannon was duly elected, to whom the requisite oaths were administered by the speaker.

Agreeably to order,

The Senate also proceeded to the election of door-keeper, (tellers as before), and upon ascertaining the votes, it appeared that

Robert Dickey was duly elected, to whom the requisite oaths were administered by the speaker.

On motion of Mr. Grosh and Mr. Davidson, the Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill entitled "An act reducing the salaries of the governor and secretary of the commonwealth.

And after some time,

The committee rose and reported said bill, with one amendment; which was read.

On motion of Mr. Davidson and Mr. Piper,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill entitled "An act reducing the pay of the members and officers of the legislature.

And after some time,

The committee rose and reported said bill; with one amendment, which was read.

On motion,

Ordered, that Mr. Davidson be teller on the part of the Senate, at the election to be held on Tuesday next, for a senator to represent this state in the senate of the United States, and that the clerk inform the house of representatives accordingly.

On motion of Mr. Breck and Mr. Cochran,

The resolution read yesterday on the subject of postage, was again read, and the same being under consideration,

A motion was made by Mr. Markley and Mr. Grosh,

To postpone the further consideration of the same for the present; which was agreed to.

On motion of Mr. Markley and Mr. Grosh,

The resolution read on the 6th instant, on the subject of a reduction of salaries, was again read; and being modified to read as follows, "Be it resolved, that a committee be appointed to enquire and report what reduction ought to be made in the salaries and fees of the several public officers of this commonwealth."

It was considered and adopted, and

Ordered, that the committee on the judiciary system, be a committee for the purpose therein expressed.

A motion was made by Mr. Breck and Mr. Power, and read as follows, to wit:

Whereas, by an act of assembly passed on the first day of March, one thousand seven hundred and eighty, it is provided, that every negro or mulatto, slave or servant for life, then residing within this commonwealth, should, in order to be held as such, be registered by the clerk of the sessions. And whereas, by the census taken in the year one thousand seven hundred and ninety, the number of slaves then enumerated in Pennsylvania, was three thousand seven hundred and thirty-seven; and by the census taken in the year one thousand eight hundred, the number was seventeen hundred and six; and by the census taken in the year one thousand eight hundred and ten, the number was seven hundred and ninety-five. And whereas, it is presumable that the number at present, is reduced to less than half the last enumeration. And whereas, this state, at so early a period as one thousand seven hundred and eighty, did, by the law enacted as aforesaid, provide for the gradual emancipation of all children born of parents held in bondage, after the passage of that law. And whereas, it is well known that the citizens of Pennsylvania, by whom slavery is universally held in abhorrence, have ever shown an anxious wish to break the shackles of those, whose unhappy fate has cast them into perpetual servitude, it cannot but be in accordance, both with the honor and interest of this commonwealth, to efface so foul a blot, wholly and irrevocably from her statute books:

Therefore

Resolved, That a committee be appointed to consider whether any, and if any, what means should be adopted for the emancipation from slavery, of such persons as may be still living within this commonwealth, and who are held in bondage under the act of March, one thousand seven hundred and eighty.

Ordered, To lie on the table.

A motion was made by Mr. Davidson and Mr. Cadwallader: and read as follows, to wit:

Whereas, it appears by the receipt of the deputy secretary of the commonwealth, to Charles L. Hutter, for the delivery of the journals of the Senate, in the German language, that the journals were not delivered until upwards of a month after the time required by law.

And whereas, it has been suggested that the journals of the Senate, in the German language, are printed without an index,

(which, if true,) is contrary to the intent and meaning of the legislature, and renders the journals almost useless:

Therefore

Resolved, That the secretary of the commonwealth be, and he hereby is required, to inform the Senate whether Charles L. Hutter, the printer of the German journals of the Senate of the last session, delivered them in time to have them forwarded with the pamphlet laws throughout the commonwealth; if not, how many copies remain on hand in consequence of the delay; and whether they have indexes attached to them or not; and such other information relative thereto as he may think necessary.

On motion,

Said resolution was again read, considered and adopted.

On motion of Mr. Raguet and Mr. M'Mullin,

The message from the governor read yesterday, was again read and referred to Mr. Raguet, Mr. Fry and Mr. Barnard.

On motion of Mr. Markley and Mr. Coleman,

Ordered, That the election of printers, to do the printing work of Senate during the present session, be the order of the day for to-morrow.

Mr. Allshouse obtained leave to withdraw from the files of the last session, the petition and documents of John King.

Adjourned until 11 o'clock to-morrow morning.

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## SATURDAY, December 9, 1820.

The speaker laid before the Senate a letter from the secretary of the commonwealth; which was read as follows, to wit:

*Secretary's Office, 8th December, 1820.*

SIR,

In pursuance of a resolution of the Senate of the 7th instant, requiring the secretary of the commonwealth to inform the Sen-

ate whether Charles L. Hutter, the printer of the German journals of the Senate of the last session, delivered them in time to have them forwarded with the pamphlet laws throughout the state, if not, how many copies remain on hand in consequence of the delay, and whether indexes are attached to them; and such other information relative thereto as he may think necessary.— I have the honor to state that 400 copies of the German journals of the Senate, printed by Charles L. Hutter, were delivered at this department on the 9th of June last, a few days after the wagon had started, which took the pamphlet laws, journals, &c. to the counties of Erie, Crawford, Warren, Venango, Mercer, Butler, Beaver, Allegheny, Greene, Washington, Fayette, Westmoreland, Armstrong, Indiana and Somerset, consequently no German journals of the Senate were sent to those counties:— but as the other wagons had not started when Mr. Hutter's journals arrived, the usual quotas, (amounting to 296 copies,) were sent to the remaining counties, which leave 104 copies now on hand.

There is no index attached to the German journal of the Senate for the last session: and after a careful examination, I have not been able to find that indexes have been made at any time to the German journals, either of the Senate or House of Representatives.

All which is respectfully submitted.

I have the honor to be,

Very respectfully, yours,

S. D. INGHAM, *Secretary.*

*The Honorable the speaker of the }  
Senate.*

On motion,

Said letter was again read and referred to the committee on accounts.

The speaker laid before the Senate letters from the following named persons, proposing to do the printing work of Senate, on the terms annexed to their names respectively, to wit:

*For printing the Journal in the English language.*

Hamilton & M'Ilwaine, ask for 1375 copies, per sheet,	\$23
Incidental work in proportion.	
Christian Gleim, asks for 1375 copies, per sheet,	23
William Greer, asks for the usual number of copies, per sheet,	21

*For printing the Journal in the German language.*

Jacob Schnee, asks for the usual number of copies, per sheet, \$11			
Christian J. Hutter,	do.	do	11
John Royer,	do.	do.	12
William White,	do.	do.	12
Henry B. Sage,	do.	do.	11 50
Joseph Hartman,	do.	do.	11 50

*For printing the Bills.*

John Wyeth, asks per page,		\$1
John S. Wiestling, do.		1
William Greer, do.		1

And said letters were severally read and laid on the table.

The speaker laid before the Senate, four petitions from sundry qualified voters residing within this commonwealth, complaining of illegal practices having taken place, and false returns having been made at the late general election, and contesting the election of Joseph Hiester, governor elect of this commonwealth: and said petitions were read and laid on the table.

Mr. Piper presented a petition from the president, managers and company of the Bedford and Stoystown turnpike road company, praying that pecuniary aid may be granted to them, to relieve them from their present embarrassments: and said petition was read and referred to the committee on roads, bridges and inland navigation.

Mr. Barnard presented a petition from sundry inhabitants of Birmingham and Thornbury townships, in Delaware county, praying that the parts of said townships now in Delaware county, may be re-annexed to Chester county: and said petition was read and referred to Mr. Barnard, Mr. Breck and Mr. Eichelberger.

Mr. Willett presented the petition and documents of Frederick Wendt, an old soldier, praying for relief: and the same was read and referred to the committee on claims.

Mr. Raguet from the committee to whom was referred yesterday the governor's message, made report; which was read as follows, to wit:

That they have attended to the duty assigned them, and recommend to the Senate the adoption of the following resolutions:

1. Resolved, That so much of the said message as relates to the renewal of the district court, for the city and county of Philadelphia, and to the reduction of the fee bill, be referred to the Committee on the judiciary.

2. Resolved, That so much as relates to the revisal of the militia system, the organization of volunteer corps and the reduction of military expenditures be referred to the committee on the militia system.

3. Resolved, That so much as relates to the subject of internal improvements, to the appointment of a board of commissioners, to the reduction of tolls on turnpike roads, to the Columbia bridge, and to the mismanagement of companies in the stock of which the government holds an interest, be referred to the committee on roads, bridges and inland navigation.

4. Resolved, That so much as relates to the subject of the encouragement of domestic manufactures, be referred to the committee on agriculture and manufactures.

5. Resolved, That so much as relates to the subject of seminaries of learning and education, be referred to the committee on education.

6. Resolved, That so much as relates to the subject of a state census be referred to a committee.

7. Resolved, That so much as relates to the penitentiary system and to the Philadelphia and Pittsburg prisons be referred to a committee.

8. Resolved, That so much as relates to the subject of the state capitol, and to the providing of furniture for the same, be referred to a committee.

On motion,

Said report was again read. The five first resolutions were severally considered and agreed to. The sixth resolution was considered and agreed to, and

Ordered, That Mr. Hill, Mr. Hubley and Mr. Sawyer, be a committee for the purpose therein expressed.

The seventh resolution was considered and adopted, and Ordered, That Mr. Raguet, Mr. Power, Mr. Eyster, Mr. Cochran and Mr. Dickerson, be a committee for the purpose therein expressed.

The eighth resolution was considered and agreed to, and

Ordered, That Mr. Grosh, Mr. Allshouse, Mr. Breck, Mr. Hurst and Mr. Smith, be a committee for the purpose therein expressed.

On motion of Mr. Davidson and Mr. Power,

The Senate proceeded to the nomination of candidates to supply the vacancy which will occur on the 4th of March next, in the representation of this state, in the Senate of the United States, in consequence of the expiration of the term for which the present member, Jonathan Roberts was chosen; when

Mr. Davidson nominated Jonathan Roberts.

Breck	Benjamin R. Morgan.
Piper	William Findlay.
Willett	William Darlington.
Leib	Isaac Wayne.
Raguet	James Ross.
Markley	Peter Frailey.
Cadwallader	Samuel Sitgreaves.
Cochran	John Sergeant.
Conyngham	Nicholas Biddle.
M'Mullin	Thomas Forrest.
Eichelberger	Molton C. Rogers.
Fry	Isaac Weaver.
Power	George Bryan.
Hubley	Marks John Biddle.
Eyster	John Ross.

Ordered, That the clerk inform the House of Representatives accordingly.

The bill entitled "An act reducing the salaries of the governor and secretary of the commonwealth," was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Hubley and Mr. Breck,

To amend the same, by striking from lines one and two, the words "the present month," and by inserting in lieu thereof, the words "December, in the year of our Lord one thousand eight hundred and twenty-three:" and

On the question,

Will Senate agree so to amend?

The yeas and nays were required by Mr. Eichelberger and Mr. Davidson; and are as follow, to wit:



YEAS.	YEAS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Feger, Hill,	Messrs. Hubley, Leib, M'Mullin, Raguet, Willett.
	11.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Fry, Grosh,	Messrs. Hurst, Markley, Piper, Power, Sawyer, Smith, Wallace, Winter, Marks, Speaker, 19.

So it was determined in the negative.

A motion was then made by Mr. Hill and Mr. Coleman,

To amend said section by striking therefrom, the words "the salary of the governor shall be four thousand dollars per annum, and" and

On the question,  
Will Senate agree so to amend?

The yeas and nays were required by Mr. Hill and Mr. Coleman: and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cadwallader, Cochran, Coleman, Dickerson, Feger,	Messrs. Hill, Leib, M'Mullin, Piper, Raguet, Willett.
	13.

## NAYS.

Messrs. Allshouse,  
Barnard,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Fry,  
Grosh,  
Hubley,

## NAYS.

Messrs. Hurst,  
Markley,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker,

17.

So it was determined in the negative, and

On the question,

Will Senate agree to said section?

The yeas and nays were required by Mr. Hubley and Mr. Grosh: and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Barnard,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Fry,  
Grosh,  
Hubley,

## YEAS.

Messrs. Hurst,  
Markley,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker.

17.

## NAYS,

Messrs. Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Dickerson,  
Feger,

## NAYS.

Messrs. Hill,  
Leib,  
M'Mullin,  
Piper,  
Raguet,  
Willett,

18.

So it was determined in the affirmative.

The title was considered and agreed to; and

Ordered, That said bill be transcribed for a third reading.

The clerk of the House of Representatives being introduced, presented two extracts from the journal of that house; which were read as follows, to wit:

*"In the House of Representatives,  
"December 7, 1820.*

"On motion,  
"Mr. Brackenridge, Mr. Connely and Mr. Carr, were appointed a committee on the part of the House of Representatives, for the purpose expressed in the act, entitled

"An act for the better preservation and increase of the library of this commonwealth."

*"In the House of Representatives,  
"December 9, 1820.*

"On motion,  
The House of Representatives proceeded to the nomination of candidates, to supply the vacancy which will occur on the fourth day of March next, in the representation of this state, in the Senate of the United States, in consequence of the expiration of the term for which the present member, Jonathan Roberts, was chosen.

"Whereupon,

Mr. Weaver nominated William Darlington.	
Emlen	Benjamin R. Morgan;
Kennedy	John Ross;
Lombart	Samuel Sitgreaves.
Carr	Isaac Wayne.
Mann	William Findlay.
Henderson	James Ross.
Wilson Smith	George Bryan.
Sturgeon	Jonathan Roberts.
Forward	John B. Gibson.
Leiper	Nicholas Biddle.
W. Smyth	Peter Frailey.
Todd	Isaac Weaver.
Brackenridge	Molton C. Rodgers.
Stockman	Andrew Gregg.
Wurts	Charles J. Ingersol.
Kelton	John Sergeant.
Porter	John Todd.
Jenks	Horace Binney.
Stover	William Erwin.

"And Mr. Alexander Brackenridge, was appointed to officiate as teller at the election on Tuesday next, on the part of the House of Representatives.

Adjourned until 11 o'clock on Monday morning.

### MONDAY, December 11, 1820.

Mr. Power presented a petition from sundry inhabitants of Allegheny county, praying that a law may be passed to provide for the reduction of fees and salaries: and the same was read and referred to the committee on the judiciary system.

Mr. Wallace presented a petition and documents from Israel Cryder, praying that the sum of two thousand dollars may be loaned to him for seven years, to aid him in boring for salt water, in Huntingdon county, for which loan he proposes to mortgage his estate to the commonwealth: and said petition was read and with the document referred to the committee on agriculture and domestic manufactures.

The speaker laid before the Senate a letter from the secretary of the land-office, which was read as follows, to wit:

*Land-Office, Dec. 9, 1820.*

SIR,

I enclose, for the information of the Senate, a report of the business transacted in the land-office, made in conformity with law.

I am, with great respect,

Your obedient servant,

WM. CLARK, *Sec'ry Land-Office.*

*To the honorable William Marks, Esq. }*  
*speaker of the Senate. }*

*To the honorable the Senate and House of Representatives of the  
commonwealth of Pennsylvania, in General Assembly met:*

The following statements shew, agreeably to law, the business transacted in the land-office during the year ending the last day of November, 1820, together with the state of the office, the sum expended for clerk-hire, and an account of the contingent expenses of the office.

325 Patents issued, recorded, &c.  
 224 Warrants for vacant lands,  
   34 Warrants for islands,  
   32 Warrants of acceptance,  
 224 Applications for warrants entered, filed and indexed,  
   34 Applications for islands entered, filed and indexed,  
 572 Accounts posted, indexed, &c.  
 619 Treasurer's receipts entered,  
 268 Tickets or vouchers made,  
 725 Vouchers numbered, filed, &c.  
 619 Certificates to the treasury.  
 588 Calculations of purchase-money due,  
 322 Old accounts balanced, transferred, &c.  
 293 Orders to the surveyor-general for returns,  
   60 Minutes of the board of property recorded,  
 425 Entries in fee-book,  
   4 Quarterly accounts of fees copied, and settlements made  
     with the accompting department,  
   12 Mortgages taken to secure the purchase-money and interest  
     due the commonwealth,  
 363 Searches,  
 125 Office copies,  
   35 Caveats entered,  
   23 Citations issued,  
     7 Certificates on discharge of mortgages and liens,  
   13 Orders for re-surveys,  
   64 Calculations on which certificates were not made to the  
     treasury,  
   47 Exemplifications of patents,  
 105 Orders for Islands.

In obedience to the requisitions of an act of last session, entitled, "An act to aid the Erie academy," the following items of business have been performed, viz:

-915 Calculations on lots in the first section of the town of Erie,  
   57     ditto     on squares in the second section of     do.  
 209     ditto     on out-lots of said town,

56 ditto on reserved tracts of land adjacent to said town,  
 2474 Lists (duplicate) of balances due on the above lots.

Of the appropriation of 5300 dollars for clerk-hire, commencing on the first day of April, 1819, and ending on the 31st day of March, 1820, there remained unexpended, on the first of October, 1819, the sum of 3350 dollars, of which the sum of 1950 dollars was applied, up to the first of April, 1820, leaving a balance of 1400 dollars unexpended; and of the appropriation of 5300 dollars, commencing on the first day of April, 1820, and ending on the 31st of March, 1821, there has been expended the sum of 1650 dollars, up to the first of October last, (being the last period of quarterly payment,) leaving unexpended the sum of 3650 dollars.

#### CONTINGENT EXPENSES.

Paid for printing, binding and stationary,	-	\$123	91
postage on public letters,	-	15	93
fuel,	-	67	00
repairs of office, cleaning, &c.	-	9	73
messenger and door-keeper,-	-	132	00
		<hr/>	
		\$	348 58

Of the above sum \$131 50 was paid out of the balance of the appropriation for the last year, ending on the 31st March last, and the further sum of \$217 07 has been paid out of the appropriation for the present year, commencing on the first of April last, leaving a balance of \$651 43, to meet the contingencies to the end of the year.

The current business of the office has been regularly attended to, and the business necessarily left back during the throng of last winter has been regularly brought up.

Respectfully submitted.

WM. CLARK, *Sec'ry Land-Office.*

*To the honorable William Marks, Esq. }*  
*speaker of the Senate. }*

Ordered to lie on the table.

The speaker laid before the Senate a letter from the surveyor-general, which was read as follows, to wit:

*Surveyor-General's Office,**December 9th, A. D. 1820.*

SIR,

I enclose, for the information of the Senate, a report made in conformity with the several acts of assembly, in that case made and provided.

And am, very respectfully,

Your obedient servant.

JACOB SPANGLER, S. & C.

*To the honorable William Marks, Esq. }*  
*speaker of the Senate. }*

*Surveyor-General's Office, Dec. 1st. 1820.*

In obedience to directions contained in the several acts of assembly, in that case made and provided, I have the honor to make report to the legislature, of the business performed in, and the state of this office, within the last year, of the manner in which the extra appropriation for clerk-hire has been applied, and of the contingent expenses, including those of the board of property.

*Business for which no fees are receivable.*

- 258 New warrants to survey, copied and directed to the deputy-surveyors respectively for execution, numbered and filed,
- 32 New warrants of acceptance entered, numbered and filed,
- 504 Tickets directed to the secretary of the land-office for calculations,
- 310 Returns made to the secretary of the land-office for patenting. The surveys and warrants re-endorsed and re-filed accordingly, and correspondent entries made in the warrant registers,
- 567 New surveys received, compared with the warrants, &c. examined as to their correctness, entered into the deputy's lists, marked in the warrant registers, endorsed with the time of acceptance, numbered and filed,
- 1238 Searches for warrants and surveys, of which copies and connections were required,
- 1238 Warrants and surveys, &c. re-filed, all of which copies and connections were made,
- 504 Searches for surveys upon which tickets were issued,
- 7583 Unpatented surveys arranged and formed into lists agreeably to directions contained in the 1st section of the act directing the recovery of the principal and interest due to the commonwealth, &c. passed 22d March, 1820, some

of which lists have been completed and transcribed for the use of deputy surveyors.

677 Entries made in fee book,

12 Monthly payments made into the state treasury of fees received,

12 Monthly accounts of contingent expenses paid, made out for settlement at the auditor-general's office,

4 Quarterly accounts of fees received, made out and returned to the accomptant department under oath.

*Materials copied for the use of the State Map, viz:*

4 County maps, turnpike road from Harrisburg to Huntingdon, 425 courses, turnpike road from Chambersburg to Pittsburg, 717 courses, and the triangular tract in Erie.

*Business for which fees amounting to \$835 26½ have been received.*

1168 Copies, extracts, connected and general drafts, &c.

535 Searches,

1 Deputy-surveyor's account settled.

On the 1st day of April last, there remained unexpended of the extra appropriation for clerk-hire, for the year preceding, \$900; since that period there has been applied in the payment of clerks, \$1650, leaving the whole of the extra, and a balance of \$350 of the permanent appropriation for the remainder of the year.

The contingent expenses, since the last report, have been as follows, viz:

For printing and stationary, &c.	-	\$ 128 22½
repairs of office, &c.	- - -	29 17
fuel, stone coal, &c.	- - -	41 00
postage on public letters,	- - -	38 99
Jacob Wilhelm's services, attending office, &c.		132 00
		<hr/>
		\$ 369 38½
		<hr/>

Of the above, \$221 76½ has been expended since the first of April last, and is chargeable to the appropriation made by act of 28th March, 1820, leaving a balance for the remainder of the year of \$378 23½.



With regard to the state of the office, I need only observe, that great care and attention has been observed in the careful handling of the books and papers and keeping them in their usual places and order.

Respectfully submitted.

JACOB SPANGLER, S. G.

Ordered, to lie on the table.

The speaker laid before the Senate a letter from William F. Buyers, proposing to print the journal of the Senate, in the English language, at twenty dollars per sheet, for the usual number of copies, and offering as his sureties, Lewis Dewart and John Shoch: and said letter was read and laid on the table.

The speaker also laid before the Senate a letter from William Albright, proposing to print the journal of the Senate, in the German language, at eleven dollars and fifty cents per sheet, for the usual number of copies; and offering as his sureties, Henry Keffer and John T. Voight: and the same was read and laid on the table.

The speaker also laid before the Senate a letter from William Greer, proposing to print the journal of the Senate, in the English language, at twenty dollars per sheet, for the usual number of copies, and the bills at eighty-seven and a half cents per page: and the same was read and laid on the table.

The speaker also laid before the Senate a letter from Christian J. Hutter, offering in addition to his former proposals, to print an index to the German journal, without any additional charge for the compilation thereof: and the same was read and laid on the table.

The speaker also laid before the Senate letters from the following named persons, proposing to reduce their price for printing the journal in the German language, (with a regular index thereto,) to the sums annexed to their names respectively, to wit:

Henry Peterson, for the usual number of copies, per sheet,	\$10
Weiss & Patterson,	do. 10
Jacob Schnee,	do. 10

On motion of Mr. Leib and Mr. Barnard,

Ordered, That all petitions already presented on the subject of claims, be referred to the committee on claims.

A motion was made by Mr. Conyngham and Mr. Cochran,

That the petitions presented, contesting the election of Joseph Hiester, governor elect, be referred to a committee, for the purpose of ascertaining whether or not, the petitioners have complied with the requisitions of the several acts of assembly regulating contested elections: and

On the question,  
Shall said petitions be so referred?

It was determined in the negative.

Mr. Winter from the committee appointed for the purpose on the 7th instant, reported a bill, entitled

“An act authorising Margaret Messinger and Jacob Messenger, executors of Philip Messinger, deceased, to convey real estate therein mentioned;” which was read the first time.

The bill, entitled  
“An act reducing the salaries of the governor and secretary of the commonwealth;” was read the third time, and

The same being under consideration,

A motion was made by Mr. Markley and Mr. Eyster,

To postpone the further consideration of the same for the present, for the purpose of proceeding to the election of printers: and

On the question,

Will Senate agree so to postpone?

The yeas and nays were required by Mr. Davidson and Mr. Eichelberger; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Cochran, Eyster, Feger, Fry, Hurst, Markley, M'Mullin,	Messrs. Piper, Power, Raguet, Sawyer, Smith, Willett, Winter. 14.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard,	Messrs. Dickerson, Eichelberger, Grosh,

NAYS.

Messrs. Breck,  
Cadwallader,  
Coleman,  
Conyngham,  
Davidson,

NAYS.

Messrs. Hill.  
Hubley,  
Leib,  
Wallace,  
Marks, Speaker. 16.

So it was determined in the negative.

A motion was then made by Mr. Raguet and Mr. M'Mullin,

To postpone the further consideration of said bill generally;  
and

On the question,

Will Senate agree so to postpone?

The yeas and nays were required by Mr. Eichelberger and  
Mr. Davidson; and are as follow, to wit:

YEAS.

Messrs. Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Dickerson,  
Feger,

YEAS.

Messrs. Hill,  
Leib,  
M'Mullin,  
Piper,  
Raguet,  
Willett.

16.

NAYS.

Messrs. Allshouse,  
Barnard,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Fry,  
Grosh,  
Hubley,

NAYS.

Messrs. Hurst,  
Markley,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker,

17.

So it was determined in the negative; and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Smith and Mr. Power; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Barnard, Conyngham, Davidson, Eichelberger, Eyster, Fry, Grosh, Hubley,	Messrs. Hurst, Markley, Power, Sawyer, Smith, Wallace, Winter, Marks, Speaker.
	17.
NAYS,	NAYS.
Messrs. Alter, Breck, Cadwallader, Cochran, Coleman, Dickerson, Feger,	Messrs. Hill, Leib, M'Mullin, Piper, Raguet, Willett,
	18.

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Leib and Mr. Markley,

Ordered, That a committee be appointed to prepare a system of rules for the Senate, and that Mr. Leib, Mr. Davidson and Mr. Smith, be a committee for said purpose.

On motion  
The Senate  
voted in the affirmative  
and upon as  
Buyers was

and Mr. Leib,  
election of printer of the journal  
(the clerks being appointed tellers,)  
it appeared that William F.

The Senate then proceeded to the election of printer of the journal in the German language, (tellers as before,) and upon ascertaining the votes, it appeared that neither of the applicants had a majority of the whole number.

Whereupon,

On motion,

The Senate again proceeded to elect; and upon ascertaining the votes, it appeared that H. W. Peterson was duly elected.

The Senate then proceeded to the election of printer of the bills, (tellers as before,) and upon ascertaining the votes, it appeared that John Wyeth was duly elected.

Ordered, That the clerk inform the secretary of the commonwealth of the result of said election, that the requisite sureties may be taken for the faithful performance of the printing work of Senate.

*"In the House of Representatives,  
December 11, 1820.*

"On motion,

"Resolved, That Messrs. Coulter, Lardner and Rahrer, be a committee to confer with a committee of Senate, (if Senate should appoint such committee,) respecting the time and place, of opening and publishing the returns of the election for governor, held throughout the commonwealth on the second Tuesday of October, last."

On motion of Mr. Davidson and Mr. Grosh,

Ordered, That Mr. Davidson, Mr. Markley and Mr. Dickerson, be a committee on the part of Senate, to confer with the above named committee; and

That the clerk inform the House of Representatives accordingly.

A motion was then made by Mr. Raguet and Mr. Leib,  
And read as follows, to wit:

Resolved, That it is expedient so to amend the laws of this commonwealth regulating auctions, as that any citizen may carry on the business of an auctioneer, within the city and county of Philadelphia, who shall pay for a license and give satisfactory security for the payment of the duties to the state, and that a committee be appointed to bring in a bill in conformity with the said provisions.

Ordered to lie on the table.

On motion,  
The bill, entitled

"An act reducing the pay of the members and officers of the legislature," was read the second time as reported by a committee of the whole on the 8th instant.

Section one was considered and agreed to.

Section two being under consideration,

A motion was made by Mr. Breck and Mr. Power,  
To strike from line three the word "two" and insert the word "three," and

On the question,

Will Senate agree so to amend?

The yeas and nays were required by Mr. Davidson and Mr. Winter; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Dickerson, Eyster, Grosh,	Messrs. Hill, Hurst, Piper, Power, Raguet, Sawyer, Smith, Marks, Speaker,
17	
NAYS.	NAYS.
Messrs. Allshouse, Alter, Davidson, Eichelberger, Feger, Fry, Hubley,	Messrs. Leib, Markley, M'Mullin, Wallace, Willett, Winter,
	18,

So it was determined in the affirmative.

A motion was then made by Mr. Smith and Mr. Hurst,

Further to amend said section, by inserting before the word "four," in line four, the words "one hundred and fifty dollars per annum, and," which was agreed to, and the section as amended was then agreed to.

Section three being under consideration,

A motion was made by Mr. Davidson and Mr. Eichelberger,

To amend the same by inserting before the word "two" in line two, the words "one hundred dollars per annum, and" which was agreed to, and the section as amended was then agreed to.

The title being agreed to,

Ordered, That said bill be transcribed for a third reading.

The speaker laid before the Senate a letter from the secretary of the commonwealth, informing that he has this day laid before the House of Representatives, sundry depositions, interrogatories and cross examinations, taken in the case of David Montgomery, esquire, a justice of the peace of Lancaster county: and said letter was read and laid on the table.

On motion of Mr. Coleman and Mr. Hubley,

The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill, entitled

"A supplement to an act, entitled "An act to provide for the erection of an additional court within the city and county of Lancaster."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

The clerk of the House of Representatives being introduced, presented for concurrence, a "Resolution, directing the secretary of the commonwealth, to deliver for the use of the House of Representatives, twenty copies of Pardons Digest;" which was read the first time.

Adjourned until 11 o'clock to-morrow morning.

**TUESDAY, December 12, 1820.**

Mr. Conyngham presented a petition from the president and managers of the Wilkesbarre bridge company, praying that a law may be passed to authorise the governor to subscribe for five hundred shares of stock in the said company; and the same was read and referred to the committee on roads, bridges and inland navigation.

The secretary of the commonwealth being introduced, presented a message from the governor, together with the documents therein referred to, which were read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania*

I have directed to be laid before you copies of resolutions of the legislature of Connecticut and New Jersey, disagreeing to an amendment to the constitution of the United States, proposed by the legislature of this commonwealth, and copies of resolutions of the legislature of Tennessee, concurring in the said amendment.

Also copies of an act of the legislature of New-Jersey, entitled "An act to prevent obstructions to the navigation of the river Delaware."

I also transmit to you copies of a letter from the governor of the State of Maryland, covering an act of the legislature of that state entitled "An act to incorporate the Octorara navigation company."

WM. FINDLAY.

*Harrisburg, December 12th, 1820.*

*State of Tennessee.*

*In General Assembly, 29th of November, 1819.*

**RESOLVED,** By the general assembly of the State of Tennessee, that a resolution adopted by the Senate and House of Representatives of the Commonwealth of Pennsylvania in general assem-



bly met, proposing the following amendment to the Constitution of the United States, to wit ;

"Congress shall make no law to erect or incorporate any  
"bank or other monied institution except within the district of  
"Columbia, and every Bank or other monied institution which  
"shall be established by the authority of Congress, shall, together  
"with its branches, and offices, of discount and deposit, be confin-  
"ed to the district of Columbia," be and the same is hereby con-  
curred with.

Resolved, That our Senators in Congress be instructed, and  
our Representatives in Congress, be requested, to use their ex-  
ertions to procure the adoption of the foregoing amendment.

Resolved, That the Governor be requested to transmit copies  
of the foregoing resolutions and proposed amendment to each of  
our Senators and Representatives in Congress.

Attest

T. J. CAMPBELL, *Clerk of the  
House of Representatives.*

JAMES H. POLK, *Clerk of the  
Senate.*

JAMES FENTRESS, *Speaker of the  
House of Representatives.*

R. WEAKLEY, *Speaker of the  
Senate.*

*Murfreesborough,*

*27th Dec. 1820.*

SIR,

In the absence of his excellency governor M'Minn, I have  
the honor of forwarding to you the enclosed copies of certain  
resolutions adopted by the general assembly of this state, at  
their last session.

I am, very respectfully,

Your obedient servant,

DANIEL GRAHAM,

*Secretary of State.*

~~His~~ Excellency the Governor of  
the State of Pennsylvania.

*State of New Jersey,**Council Chamber, February 16th, 1820.*

**RESOLVED**, By the legislative council and general assembly of the state of New Jersey, that they do not concur in the amendment to the constitution of the United States, proposed to the consideration of the several states, by the state of Pennsylvania, which is as follows, viz: "Congress shall make no law to erect or incorporate any bank, or other monied institution, except within the district of Columbia; and every bank, or other monied institution, which shall be established by the authority of congress, shall, together with its branches, and offices of discount and deposit, be confined to the district of Columbia."

**Resolved**, That the governor of this state be requested to transmit copies of the foregoing resolution to the executives of the several states, with a request that they lay the same before the legislatures thereof.

*Council Chamber, Feb. 16, 1820.**By order of the Council,***ISAAC H. WILLIAMSON, President.***House of Assembly, Feb. 18, 1820.***Read and concurred in by the House.***By order of the House,***DAVID THOMPSON, junr. Speaker.***State of New Jersey, Secretary's Office,**Trenton, April 1st. 1820.***SIR,**

In the absence of governor Williamson, I have the honor of forwarding to you the enclosed copy of certain resolutions adopted by the legislative council and general assembly of this state at their late session:

I have the honor to be, with great respect,

Sir, your obedient servant.

**JAMES LINN, Secretary of State.**

*To his excellency the governor of the }  
state of Pennsylvania. }*



*To the honorable the Senate and House  
of Representatives.*

The committee to whom was referred resolutions of the legislatures of the states of Pennsylvania and Ohio, proposing an amendment to the constitution of the United States, have had the subject referred to them under consideration, and respectfully submit the following resolution.

*Signed, by order,*

C. HINMAN.

**RESOLVED**, By the Senate and House of Representatives of the general assembly of the state of Connecticut, that it is not expedient to make the amendment to the constitution of the United States, proposed to the consideration of the legislatures of the several states, by the states of Pennsylvania and Ohio, which is as follows, to wit: "Congress shall make no law to erect any bank, or other monied institution, except within the district of Columbia; and every bank, or other monied institution, which shall be established by authority of congress, shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia."

**Resolved**, That the governor be requested to transmit copies of the foregoing resolution to the executives of the states of Pennsylvania, Ohio and New Jersey.

**House of Representatives.**—Report, accepted and approved, and accompanying resolution passed.

Attest. N. JOHNSTON, *Clerk*.

In Senate, May session, 1820.—Concurred.

Attest. WILLIAM W. BOARDMAN, *Clerk*.

Approved, May 31st, 1820.

OLIVER WOLCOTT,

A true copy, examined by THOMAS DAY, secretary of state.

*State of Connecticut,*

*Litchfield, July 31st, 1820.*

SIR,

Agreeably to the request of the general assembly of this state, I herewith transmit their resolutions, passed at their last session, on the subject of an amendment to the constitution of the

United States, proposed by the states of Pennsylvania and Ohio.

I have the honor to be with great respect,  
Your excellency's most obedient servant.  
OLIVER WOLCOTT.

To his excellency the governor }  
of Pennsylvania. }

Trenton, March 8th, 1820.

SIR,

By directions of the governor of New Jersey, I transmit to you a copy of an act passed by the legislature of that state, entitled "An act to prevent obstructions in the navigation of the river Delaware."

I am, with respect,

Your humble servant,  
JAMES LINN, *Secretary of State.*

*His excellency WILLIAM FINDLAY, Esq.*

### *State of New Jersey.*

#### *An act to prevent obstructions to the navigation of the river Delaware.*

1. Be it enacted by the council and general assembly of this state, and it is hereby enacted by the authority of the same, That no bridge, floating stage, or other device in the nature of a bridge, no dam, wing, or other device, creating, drawing off or using a water power, or taking fish, shall hereafter be erected, placed, or dug, in any part of the river Delaware, between New Jersey and Pennsylvania, without a view first had by three skillful and respectable freeholders in each state, residing near the spot where it may be intended to erect such bridge, stage, dam, wing, or device, appointed by the court of quarter sessions, and a specific report by them, or a majority of them respectively in each state, to the court of quarter sessions of the county by whom appointed, shewing distinctly the bridge, stage, dam, wing, or device intended, and stating that it will not impede or injure the navigation of the said river, and such report being approved of and confirmed by each court of quarter sessions, and unappealed from to the supreme court of either state, during one year after it shall have been so approved of, shall be final; but if on such appeal the supreme court of either state should reverse

such approval and confirmation, the same shall be set aside. And any person or persons offending against the provisions of this act, shall, on conviction thereof before the court of quarter sessions of the next adjoining county, forfeit and pay, for each offence, such sum, not less than five hundred nor more than one thousand dollars, as such court shall adjudge, one-half to the informer or informers, and the other half to the use of the poor of the proper county.

2. And be it enacted, That whenever official information shall be received by the governor of this state, that commissioners have been appointed under the authority of the state of Pennsylvania to ascertain the particular injury done to the navigation of the river Delaware by any dams already erected, and that such commissioners are not required to insist on any preliminaries in relation to any particular dam, or dams, then he shall be authorised to appoint an equal number of commissioners on the part of this state, who shall report to the legislature of each state such an act on the subject as they may jointly agree to recommend, to be concurrently adopted, for the purpose of enforcing all proper removals, alterations and restrictions.

3. And be it enacted, That it shall be the duty of the governor, as soon as may be after the passage of this act, to transmit to the executive of Pennsylvania a certified copy thereof.

Council Chamber, March 1st. 1820.—This bill having been three times read in the council,

Resolved, That the same do pass.

*By order of the Council,*  
JESSE UPTON, *Vice-president.*

House of Assembly, February 29th, 1820.—This bill having been three times read and compared in the House,

Resolved, That the same do pass.

*By order of the House,*  
DAVID THOMPSON, *junr. Speaker.*

I, James Linn, secretary of the state of New Jersey, do certify the foregoing to be a true copy of an act passed by the legislature of said state, on the first day of March, in the year of our Lord one thousand eight hundred and twenty, and filed in the office of the said secretary.

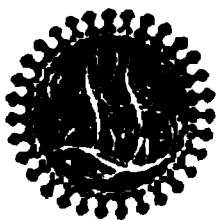
(L. s.) Given under my hand and official seal the seventh day of March, in the year aforesaid.

JAMES LINN.

*State of New Jersey.**Isaac H. Williamson, governor of the state of New Jersey,*

To all to whom these presents shall come:

KNOW YE, That the name, "James Linn," subscribed to the annexed certificate, is the proper hand-writing of James Linn, who was at the time of subscribing the same and now is secretary of the state of New Jersey, that the attestation of the said James Linn is in due form of law, that he is the lawful officer for certifying the matters contained in his said certificate, and that full faith and credit ought to be given to the proceedings and certificates of the said James Linn, as secretary of said state.



Given under my hand and the great seal of the state of New Jersey, the seventh day of March, in the year of our Lord one thousand eight hundred and twenty.

ISAAC H. WILLIAMSON.

*By the governor,*  
JAMES LINN, *Secretary.*

On motion of Mr. Grosh and Mr. Markley,

Ordered, That the act of the state of Maryland, above referred to, be omitted on the journal.

The speaker laid before the Senate a letter from the secretary of the commonwealth, which was read as follows, to wit:

*Secretarys Office December 12th, 1820.*

SIR.

I have the honor to state, for the information of the Senate, that in pursuance of the provisions of an act, entitled, an act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg Bridge to the river Juniata, at or near Millerstown, passed the sixteenth day of March last, I this day caused to be laid before the House of Representatives, the report of the commissioners appointed to lay out the road mentioned in said act.

I have the honor to be,

Very Respectfully,

Yours,

S. D. INGHAM, *Sec'ry.*

*William Marks Jun. Esq.* }  
*Speaker of the Senate.* }

Ordered to lie on the table.

The speaker also laid before the Senate another letter from the secretary of the commonwealth, informing that he had this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of Alexander Wallace, esquire, a justice of the peace of York county, before George Barnits, esquire, one of the associate judges of the court of common pleas of said county; and said letter was read and laid on the table.

The speaker also laid before the Senate a letter from the commissioners for the erection of a state capitol together with the documents therein referred to, which were read as follows, to wit:

*To the honorable the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met:*

In pursuance of an act, passed the 28th of March, 1820, entitled, "A further supplement to an act providing for the erection of a state capitol," the commissioners appointed by the act of the 27th January, 1819, entered into a contract with Mr. Stephen Hills, the architect already engaged on the work, to construct the columns and capitals thereof of hewn stone, and to cover the roof of the dome with copper, and also to cover the four square corners formed by the circle of the dome with copper.

A copy of the contract, and also Mr. Hills' bond of performance, are herewith transmitted.

The commissioners deem it but justice to Mr. Hills, to say, that he is entitled to much praise for his industry and unremitting exertions to further the work, and also for his faithful execution of the contract, which he has hitherto in some instances exceeded.

The commissioners being convinced, from daily observation, that both convenience and the preservation of the public ground require some improvement thereon, have provided and deposited in the Senate chamber a plan which they respectfully submit to the consideration of the legislature.

*Harrisburg, 9th Dec. 1820.*

WILLIAM FINDLAY,  
GEORGE BRYAN,  
RICHARD M. CRAIN,  
JOHN B. GIBSON,  
WILLIAM GRAYDON.

*Harrisburg, April 21st, 1820.*

*To the commissioners appointed for the erection of the  
State Capitol.*

Gentlemen,

An act having passed during the late session of the legislature, containing an appropriation for erecting the columns and capitals of the state capitol of hewn stone, and for covering the domes and four corners with copper, and having in a former contract undertaken to erect the columns with bricks plastered, and to shingle the dome and four corners, I do now offer to build the said columns and capitals of hewn stone for an additional sum of two thousand dollars for each and every column, and I also offer to cover the dome and the four square corners (left by the circle of the dome) with copper, for the additional sum of three thousand dollars.

I am, gentlemen,  
Respectfully your  
Obedient servant.

STEPHEN HILLS.

We, the commissioners for the erection of a state capitol at Harrisburg, agree to contract with Stephen Hills, on the terms contained and specified in the above proposals, he giving bond to the commonwealth in the sum of fifteen thousand dollars, conditioned for the faithful performance of his contract.

*Harrisburg, 22d April, 1820.*

WILLIAM FINDLAY,  
RICHARD M. CRAIN,  
GEORGE BRYAN,  
JOHN B. GIBSON,  
WILLIAM GRAYDON.

KNOW ALL MEN BY THESE PRESENTS. That I Stephen Hills of the borough of Harrisburg, in the county of Dauphin, am held and firmly bound to the commonwealth of Pennsylvania, in the sum of fifteen thousand dollars, lawful money of the United States, for the faithful payment of which sum to the said commonwealth, I bind myself my heirs, executors and administrators by these presents, by me signed and sealed this 29th day of April, in the year of our Lord one thousand eight hundred and twenty.

WHEREAS, under an act of the general assembly of Pennsylvania, entitled, "A further supplement to the act providing for the erection of a state capitol, passed the 28th day of March, in the year one thousand eight hundred and twenty, the said Stephen Hills made, on the 21st day of April, one thousand eight



hundred and twenty, to the commissioners appointed by the act, entitled, "A supplement to an act, providing for the erection of the state capitol," passed the 27th day of January, one thousand eight hundred and nineteen, the annexed proposals for constructing the columns and capitols of the portico of the said capitol of hewn stone, and also for to cover the dome thereof, and the four square corners formed by the circle of the dome, with copper.

AND WHEREAS, the said proposals dated the 21st day of April one thousand eight hundred and twenty, were accepted and agreed to on the 22d day of April one thousand eight hundred and twenty, by the said commissioners as by their endorsement on the said proposals will appear,

NOW THE CONDITION, of the preceding obligation is this, that if the said Stephen Hills shall and will within the time stipulated by and in his original contract, dated the 17th day of April one thousand eight hundred and nineteen, for erecting the state capitol, erect and construct the columns and capitals thereof of hewn stone, and also cover the dome and the four square corners left or formed by the circles of the dome with copper, in a complete and workmanlike manner then the said obligation to be void but otherwise to be and remain in full force and virtue.

*Witness present,*

STEPHEN HILLS. (L. S.)

M. MUSGRAVE,  
DANIEL J. HIESTER.

Ordered to lie on the table.

The speaker laid before the Senate a letter from the auditor-general, together with the documents therein referred to, which were read as follows, to wit:

*Auditor General's Office, 12th. Dec. 1820.*

SIR,

The enclosed copy of the report of the president and managers of the Bedford and Stoystown turnpike road, also of the report of the president of the Bridgewater and Wilkesbarre turnpike road, are respectfully submitted to the Senate, in conformity with the 46th section of the act of 24th March, 1817, entitled, "An act making appropriations for internal improvement."

Very respectfully, sir,

Your most obedient servant,

GEORGE BRYAN.

*Honorable speaker of the Senate of Pennsylvania.*

*Wilkesbarre, Dec. 5th, 1820.*

SIR,

The following is a detailed statement of the affairs of the Bridgewater and Wilkesbarre turnpike road company, shewing the progress of the work, and the debts, credits and expenses of the company.

The whole length of the road from the state line to Wilkesbarre is sixty miles, no more than fifty of which will require to be turnpiked, the other ten being an excellent road.

The expense of making fifty miles will probably fall something short of fifty thousand dollars.

The nominal amount of private subscriptions, including stock, to be taken in payment on contracts made, \$12,755 00

State subscriptions, 15,000 00

Thirty-five miles of road have already been completed and five miles more nearly so, but in doing this, the whole funds of the company have been expended and large balances remain due to the contractors.

I am, sir,

With much respect,

Your obedient servant,

EBENR. BOWMAN,

*President of the Board.*

GEORGE BRYAN, Esq. *Auditor General.*

Correctly copied,

GEO. BRYAN, A. G.

A statement of the accounts of the Bedford and Stoystown turnpike road company, of the amount of capital expended, from the commencement of the work; the whole amount of toll received; the costs and charges of keeping the said road in repair, and all other contingent expenses, viz:

To amount total of contracts, \$170,906 84½

To extra expenses on contracts, 6,112 73½

To services of the president, managers, secretaries and treasurer, &c. up to 27th November, 1819, 7,745 97½

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\$184,765 55

Amount total required to complete the road, to meet the above expenditures, the company have received

from the state, by subscription, \$90,000 00

By individual subscription, 41,900 00

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\$131,900 00

Of which there has been received	
from the state, in full,	90,000 00
Of individuals,	39,342 00
	<hr/>
	\$ 129,342 00
	<hr/>

Balance due on individual		
stock,	\$2558 00	
Supposed irrecoverable		
thereof,	1500 00	
Amount that may be recovered,	1058 00	
	<hr/>	130,400 00
		<hr/>

Which leaves a balance of debts against the com- pany,	\$ 54,365 55
Amount of toll collected from 1st September, 1817, to 27th November, 1819,	14,982 46
Amount of interest and penalties received,	105 48
Amount of toll collected from 27th November, 1819, to 27th November, 1820,	5,641 45
	<hr/>
	\$ 20,729 39

A dividend was declared the 1st of June, 1818, on \$ 57,850 stock, paid up at 4 per cent, for 6 months, amounted to	2,314 00
Amount of expenses repairing road, and pay of toll collectors, up to the 27th November, 1820, from the commencement,	4,196 39
Amount of services of the president, managers, &c. for the year 1820, ending 26th Novem- ber, 1820,	346 55½
Amount of toll remaining and paid out to con- tractors,	13,872 44½
	<hr/>
	\$ 20,729 39

To the honorable the Senate and House of Representatives of Pennsylvania, the foregoing account is respectfully submit-  
ted.

JOHN SCHELL, jun. *President.*

JACOB SCHELL,

GABRIEL HULL,

JOHN CLARK,

MICHAEL REED,

PETER KAGG,

RICHARD EWALT,

} *Managers.*

Correctly copied,

GEO. BRYAN, A. G.

Ordered to lie on the table.

Mr. Davidson, from the committee on accounts, made report, which was read as follows, to wit:

That Charles L. Hutter, the printer of the journal of the Senate in the German language, of last session, did not deliver them at the office of the secretary of the commonwealth, until the 9th of June last, at which time the pamphlet laws, &c. were sent to the westward, in consequence of which 104 copies of the journal were left on hand in the secretary's office, altogether useless, and the German population of fifteen counties of the state are deprived of that source of information.

Mr. Hutter's contract was to deliver, at the office of the secretary of the commonwealth, 400 copies of the journal of the Senate, in the German language, within forty days after the close of the session of the legislature, which was more than a month previously to the delivery, and had not the secretary of the commonwealth delayed the remainder of the laws and English journal, and the journal of the House of Representatives in the German language, at least ten days longer than he was authorised by law to do, the whole work would have remained on hand, altogether useless to the government.

The statement of Mr. Hutter's account, hereunto annexed, shews a balance in favor of the commonwealth, of \$ 93 10, occasioned by the failure of his contract and the advances made to him in the course of the last session. The committee therefore submit for the consideration of the Senate the following resolution.

Resolved, That the auditor-general be and he hereby is required to demand, sue for, and recover of Charles L. Hutter, late printer of the journal of the Senate, in the German language, \$ 93 10, the balance which is found due the commonwealth by him on the settlement of his account.

Charles L. Hutter, to the Commonwealth of Pennsylvania, Dr.

To two warrants on the treasury, last session, of \$300 .

each,

\$ 600

104 copies of the German journal, remaining in the office of the secretary of the commonwealth, altogether useless to the state, at \$1 71 $\frac{1}{4}$ .

178 10

---

\$ 778 10

## Contra, Cr.

By 400 copies of journal, of 43 sheets, \$15 per sheet,	\$ 645 00
folding and stitching the same,	40 00
	<hr/>
	\$ 685 00
	<hr/>

Balance due the commonwealth, by Charles L. Hutter, \$ 93 10

Ordered to lie on the table.

Mr. Breck, from the committee to whom was referred, on the 7th instant, the petition of Elizabeth Reid, on leave given, reported a bill, entitled,

“An act to annul the marriage of George Reid and Elizabeth his wife:” which was read the first time.

On motion of Mr. Grosh and Mr. Davidson,

The act passed by the legislature of Maryland, entitled, “An act to incorporate the Octoraro Navigation Company,” accompanying the governor’s message, read this morning, was again read and referred to Mr. Grosh, Mr. Breck and Mr. Eyster.

On motion of Mr. Hill and Mr. Cochran,

The act passed by the legislature of the state of New Jersey, accompanying the governor’s message, read this morning, and entitled, “An act to prevent obstructions to the navigation of the river Delaware,” was again read and referred to Mr. Hill, Mr. Cochran and Mr. Feger.

The bill, entitled,

“An act reducing the pay of the members and officers of the legislature,”

Was read the third time, and,

On the question, Shall this bill pass?

The Yeas and Nays were required, by Mr. Markley and Mr. Alter, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
 Alter,  
 Barnard,  
 Breck,  
 Cadwallader,  
 Cochran,  
 Coleman,  
 Conyngham,  
 Davidson,  
 Dickerson,  
 Eichelberger,  
 Eyster,  
 Feger,  
 Fry,  
 Grosh,

## YEAS.

Messrs. Hill,  
 Hubley,  
 Hurst,  
 Markley,  
 M'Mullin,  
 Piper,  
 Power,  
 Raguet,  
 Sawyer,  
 Smith,  
 Wallace,  
 Willett,  
 Winter,  
 Marks, Speaker,

29.

## NAY.

Mr. Leib. 1.

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

A motion was made by Mr. Hill and Mr. Conyngham, and read as follows, to wit:

In a representative republican government, it is vitally essential to the purity and permanency of the government, and also peculiarly satisfactory to the citizens, that all power delegated by the constitution, or by any given law of the legislature, or that may be exercised by any delegate, deputy or agent of the people, or by any officer of the government, should be clearly defined, well understood and strictly adhered to.

And whereas some of the powers usually exercised by the governor, in appointing to office, and also, in removing therefrom, are entirely unknown to the constitution and unprovided for by law.

And whereas the wide extended patronage exercised by the executive of this commonwealth, has been and continues to be much complained of, (as a political evil,) by all classes of citizens and every description of state politicians.

And whereas it is believed, (at this day of extended information and political improvement,) that justice and policy unite in demanding executive patronage to be restricted to its constitutional limits.

Therefore,

Resolved, That a committee be appointed to inquire and ascertain by what authority, (or supposed authority,) the governor has exercised the power of appointing to office the several officers who have been appointed by him, (excepting the secretary of the commonwealth, judges of the several courts, and justices of the peace,) and make a report, particularly designating in each case whether the appointment was authorised by the constitution, or by a law of the legislature, or whether from the necessity of the case and the common consent of the people, and also shewing the constitutional, legal or supposed, (as the case may be,) term of service of each officer, accompanied with the opinion of the committee, whether any, and if any, what alteration ought and can constitutionally be made in the appointments to and continuance in office of any of the offices now in the gift of the governor.

Resolved, That the committee be and they are hereby authorised to call on the governor, secretary of the commonwealth, or attorney-general, for any information necessary in the performance of the duties required of them by the foregoing resolution.

Ordered to lie on the table.

On motion of Mr. Allshouse and Mr. Power,

Ordered, That an *item* of unfinished business, on the journal of last session, relative to ascertaining the original plan of the town of Armagh, be referred to a committee, and that Mr. Allshouse, Mr. M'Mullin and Mr. Power, be the committee, with leave to report by bill or otherwise.

On motion of Mr. Conyngham and Mr. Cadwallader,

Ordered, That an *item* of unfinished business, on the journal of the last session, relative to the petition of John Koons, be referred to a committee, and that Mr. Conyngham, Mr. Hubley and Mr. Piper, be the committee, with leave to report by bill or otherwise.

Mr. Mann and Mr. Rutherford, a committee from the House of Representatives, being introduced, informed the Senate, that

the chamber of the House of Representatives is now ready to receive the members of the Senate, for the purpose of proceeding to the choice of a Senator to represent this state in the Senate of the United States, in the place of Jonathan Roberts, whose term of service will expire on the fourth day of March next.

Whereupon,

On motion of Mr. Davidson and Mr. Cadwallader,

The Senate withdrew to the chamber of the House of Representatives for the purpose aforesaid.

### SAME DAY.

Mr. Davidson, teller on the part of the Senate, to officiate at the election of a senator of the United States, in the place of Jonathan Roberts, whose time will expire on the fourth day of March next, made report as follows, to wit:

That at a meeting of the members of the general assembly, held this day in the chamber of the House of Representatives agreeably to law, two several polls were taken, when the members present voted as follows, to wit:

At the first poll,

Messrs. Marks, speaker, Allshouse, Alter, Barnard, Dickerson, Eichelberger, Eyster, Fry, Hurst, Markley, Piper, Power, Sawyer, Smith, Wallace and Winter of the Senate; and

Messrs. Brackenridge, Connely, Dierdorff, Dimmick, Drinkhouse, Evans, Fenner, Fenstermacher, Fry, Giffin, Haas, Hanna, Hart, Hays, Herrington, Kennedy, Kinney, Krause, Lawrence, Leiper, Livingston, Mann, M'Call, Miller, Mitchell, Mostoller, Nes, Orr, jr. Piper, Porter, Reed, Roberts, Rugh, Schell, Scott, Smith, Smyth, Schneider, Storm, Wells and Witherow, of the House of Representatives, voted for William Findlay.

Messrs. Breck, Cadwallader, Cochran, Coleman, Grosh, Hubley, Leib, M'Mullin and Raguet, of the Senate; and

Messrs. Anderson, Alter, Baird, Barnett, Carr, Cassat, Cortright, Coulter, Crooks, Dewart, Dorrance, Dunn, Dyre, Ed-



KEITH, LAMBERT, LEWIS, LORRAINE, MINGILL, DE CALIBUCK, DE CULLOUGH, MUSSEY, REES, JR. ROBBINS, ROHRER, STEWART, STONER, STOVER, UHLER, WEBB, WIEMAN, WILKINS, WITHERS and GILMORE, speaker, of the House of Representatives, voted for Isaac Wayne.

Messrs. Conyngham, Davidson, Feger, Hill and Willett, of the Senate; and

Messrs. Calwell, Garnant, Jones, Rahn, Rutherford, Sallade, Snyder, Sturgeon, Weaver, Wise and Wurts, of the House of Representatives, voted for Jonathan Roberts.

Messrs. Estep and Todd, of the House of Representatives, voted for Isaac Weaver.

Mr. Stockman of the House of Representatives, voted for Andrew Gregg.

Mr. Forward of the House of Representatives voted for John B. Gibson.

So it appeared that

WILLIAM FINDLAY, had fifty-seven votes  
ISAAC WAYNE, had forty-nine votes  
JONATHAN ROBERTS, had sixteen votes  
ISAAC WEAVER, had two votes  
JOHN B. GIBSON, had one vote, and  
ANDREW GREGG had one vote.

At the second poll,

Messrs. Marks, speaker, Allshouse, Alter, Barnard, Dickerson, Eichelberger, Eyster, Fry, Hurst, Markley, Piper, Power, Sawyer, Smith, Wallace and Winter, of the Senate; and

Messrs. Brackenridge, Connely, Dierdorff, Dimmick, Drinkhouse, Evans, Fenner, Fenstermacher, Forward, Fry, Giffin, Haas, Hanna, Hart, Hays, Herrington, Kennedy, Kinney, Krause, Lawrence, Leiper, Livingston, Mann, M'Call, Miller, Mitchell, Mostoller, Nes, Orr, jr. Piper, Porter, Reed, Roberts, Rugb, Schell, Scott, Smith, Smyth, Schneider, Storm, Todd, Wells and Witherow, of the House of Representatives, voted for William Findlay.

Messrs. Breck, Caldwell, Cochran, Coleman, Grosh, Hubley, Leib, M'Mullin and Raguet, of the Senate; and

Messrs. Anderson, Alter, Baird, Barnett, Carr, Cassat, Cortright, Coulter, Crooks, Dewart, Dorrance, Dunn, Dyre, Ed-

wards, jr. Emlen, Foulke, Good, Henderson, Hunt, Jenks, Kelton, Lardner, Lewis, Lombart, Magill, M'Callister, M'Cullough, Musser, Rees, jr. Robbins, Rohrer, Stewart, Stoner, Stover, Uhler, Webb, Wierman, Wilkins, Withers and Gilmore, speaker, of the House of Representatives, voted for Isaac Wayne.

Messrs. Conyngham, Davidson, Feger, Hill and Willett, of the Senate; and

Messrs. Calwell, Garnant, Jones, Rahn, Rutherford, Sallade, Snyder, Sturgeon, Weaver, Wise and Wurts, of the House of Representatives, voted for Jonathan Roberts.

Mr. Estep of the House of Representatives, voted for Isaac Weaver.

Mr. Stockman of the House of Representatives, voted for Andrew Gregg.

So it appeared that,

WILLIAM FINDLAY, had fifty-nine votes  
ISAAC WAYNE, had forty-nine votes  
JONATHAN ROBERTS, had sixteen votes  
ISAAC WEAVER, had one vote, and  
ANDREW GREGG, had one vote.

That as neither of the candidates had a majority of the whole number of votes no choice was made.

Whereupon,

The meeting was adjourned till the third Tuesday of January next.

WILLIAM DAVIDSON,

*Teller on the part of the Senate.*

Adjourned until 11 o'clock to-morrow morning.

**WEDNESDAY, December 13, 1820.**

Mr. Hurst presented a petition from sundry inhabitants of Venango township, in Crawford county, praying that a law may be passed to authorise them in future, to hold their elections at the house of Robert Loge: and the same was read and laid on the table.

The speaker laid before the Senate a letter from the executors of captain Gustavus Conyngham: which was read as follows, to wit:

SIR,

The executors of captain Gustavus Conyngham, present to the Senate and House of Representatives, to be deposited in the State library, the first flag of the United States of America, that was raised in the British channel. It was made under the direction of Dr. Benjamin Franklin, for the government vessel *Surprise*, commanded by captain Gustavus Conyngham, in the year 1776:

*The hon. speaker of Senate.*

Ordered to lie on the table.

Mr. Dickerson from the committee on claims, to whom was referred on the ninth instant, the petition of Frederick Wendt, reported a bill, entitled

"An act for the relief of Frederick Wendt, an old soldier;" which was read the first time.

Mr. Dickerson from the committee on claims, to whom was referred on the 11th instant, the petition of John Waters, made report: which was read as follows, to wit:

That the petitioner states he was a seaman on board the ship *Hyder Aliy*, belonging to the state of Pennsylvania, commanded by Joshua Barney, and that in an engagement with the British ship *General Monk*, he received a wound; of this, however, your committee have no evidence except the petitioners own assertion; neither have they any evidence to prove that he is in indigent circumstances, and stands in need of the aid of his country for support. Your committee would therefore offer the following resolution:

**Resolved,** That the petitioner have leave to withdraw his petition and documents.

**Ordered,** To lie on the table.

The speaker laid before the Senate a letter from the secretary of the commonwealth, stating that he has this day laid before the House of Representatives, sundry depositions, interrogatories and cross examinations, taken in the case of John Boyd, esquire, a justice of the peace of York county, before George Barnits, esquire, one of the associate judges of the court of common pleas of the said county: and the same was read and laid on the table.

**On motion of Mr. Breck and Mr. Grosh,**

**Ordered,** That the documents presented yesterday relative to the erection of a state capitol, be referred to the committee to whom was referred on the 9th instant, so much of the governor's message as relates to a state capitol.

**On motion of Mr. Breck and Mr. Leib,**

The resolution read on the 7th instant, on the subject of postage, was again read; and

**On the question,**

**Will Senate adopt the same?**

The yeas and nays were required by Mr. Hubley and Mr. Fry; and are as follow, to wit:

## YEAS.

Messrs. Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,  
Feger,  
Grosh,

## YEAS.

Messrs. Hill,  
Leib,  
Markley,  
M'Mullin,  
Piper,  
Power,  
Raguet,  
Sawyer,  
Smith,  
Winter,  
Marks, Speaker,

NAYS.

Messrs. Allshouse,  
Alter,  
Fry,  
Hubley,

NAYS.

Messrs. Hurst,  
Wallace,  
Willetts.

7.

So it was determined in the affirmative.

A motion was made by Mr. Leib and Mr. M'Mullin; and read as follows, to wit:

Whereas the constitution of this commonwealth provides, that no senator or representative shall, during the time for which he shall have been elected, be appointed to any civil office under this commonwealth, which shall have been created or the emoluments of which shall have been increased during such time; and no member of congress or other person holding any office, (except of attorney at law or in the militia) under the United States or in this commonwealth, shall be a member of either house during his continuance in congress or in office.

And whereas, Philip S. Markley and Isaac D. Barnard, are deputy attorneys general and holding offices under this commonwealth, are precluded by the constitution from being members of either house.

Therefore,

Resolved, That Philip S. Markley and Isaac D. Barnard, are not entitled to be members of the Senate and their seats are hereby declared to be vacated.

Ordered, To lie on the table.

On motion of Mr. Coleman and Mr. Cochran,

The Senate again resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill, entitled

"A supplement to an act, entitled "An act to provide for the erection of an additional court within the city and county of Lancaster."

And after some time,

The committee rose and reported said bill without amendment.

The clerk of the House of Representatives being introduced, presented for concurrence, a

"Resolution requiring the secretary of the commonwealth, to furnish certain members of the legislature with a copy of Smith's edition of the laws of Pennsylvania." which was read the first time.

On motion of Mr. Smith and Mr. Dickerson,

The Senate proceeded to the second reading and consideration of the resolution from the House of Representatives, "Directing the secretary of the commonwealth to deliver for the use of the House of Representatives, twenty copies of Purdon's Digest."

And the same being under consideration,

A motion was made by Mr. Smith and Mr. Breck,

To amend the same by adding to the end thereof, the following words, to wit: "and to the clerk of the Senate ten copies for the use of the Senate;" which was agreed to: and

On the question,

Will Senate adopt said resolution?

A motion was made by Mr. Cadwallader and Mr. Conyngham:

To postpone the further consideration of said question, together with the resolution for the present; which was agreed to.

Adjourned until 11 o'clock to-morrow morning.



THURSDAY, December 14, 1820.

The speaker laid before the Senate a letter from the secretary of the commonwealth, which was read as follows, to wit:

*Secretary's Office, Dec. 13th. 1826.*

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

In pursuance of the directions of the act authorising the governor to procure on loan a sum not exceeding one hundred and fifty thousand dollars, passed on the 28th March last, I have the honor to lay before the legislature the proceedings of the governor in the premises.

On the 21st September last an application was made, by order of the governor, to the Pennsylvania bank, for a loan of \$50,000, upon the terms prescribed in the said act. On the 25th of the same month, the bank agreed to loan the sum applied for at 6 per cent per annum, payable half-yearly, to be repaid in ten years, in such instalments as in the opinion of the governor the finances of the state would justify. The usual pledge of the faith of the commonwealth was given on the 26th of September, and the amount of the loan passed to the credit of the commonwealth on the 28th of the same month.

A similar application was made to the Philadelphia bank, for a loan of \$50,000, on the 24th of November last, and on the 27th following, the bank agreed to loan the sum applied for, at 6 per cent per annum, to be repaid in like manner. The customary pledge was given on the 29th of November, and the amount of the loan was passed to the credit of the commonwealth on the 2d December following.

All which is respectfully submitted.

I have the honor to be,

With great respect,

S. D. INGHAM, *Sec'y.*

Ordered to lie on the table.

- Mr. Conyngham presented a petition from sundry inhabitants of the town of Montrose, in Susquehanna county, praying that a law may be passed to erect the said town into a borough, with the same privileges as the borough of Bridgeport, in the county of Fayette: and said petition was read and referred to Mr. Conyngham, Mr. Leib and Mr. Sawyer, with leave to report by bill or otherwise.

Mr. Hurst presented a petition from the trustees of Allegheny college, praying that the legislature will grant them such pecuniary aid as they may deem expedient and proper: and the same was read and referred to the committee on education.

Mr. Davidson, from the committee appointed on the 11th instant, to confer with a committee of the House of Representatives, with respect to the time and place of opening and publishing the returns of the last election for governor, made report: which was read as follows, to wit:

That they have performed that service, and the joint committee recommends the adoption of the following resolutions to their respective houses:

Resolved, That the returns of the election for governor be opened and published by the speaker of the Senate, in the presence of both houses of the legislature, on Monday next, at half past ten o'clock in the forenoon, in the chamber of the House of Representatives, and that each House shall previously appoint one of its members a teller to cast up the votes.

Resolved, That upon the publication of the votes for governor, by the speaker of the Senate, a certificate of the election shall be signed by the speaker of the Senate and the speaker of the House of Representatives, in the following form, to wit:

We, the speaker of the Senate and the speaker of the House of Representatives of the commonwealth of Pennsylvania, do certify, that the speaker of the Senate, did, on the       day of December, in the year of our Lord, 1820, in the chamber of the House of Representatives, in the borough of Harrisburg, open the returns of the election for governor of the said commonwealth, and publish the same in the presence of both houses of the legislature, conformably to the constitution of the said commonwealth, and that upon counting the votes, by a teller appointed on the part of each house, it appeared that       had a majority of votes, whereupon the said       was declared to have been duly elected governor of said commonwealth. In testimony whereof, we have hereto set our hands and seals, the day and year first above written.

Resolved, That the said certificate shall be deposited by the speaker of the Senate in the office of the secretary of the commonwealth, and there recorded, and a duplicate thereof, attested by the speakers of both houses, transmitted to the governor elect.

Resolved, That a committee of three members of the Senate and three members of the House of Representatives, shall attend the governor elect, on Tuesday next, at his lodgings, in Harrisburg, and accompany him to the hall of the House of Representatives, where the members of both houses are convened, when



the speaker of the Senate, (or in his absence the speaker of the House of Representatives,) shall administer the usual oaths of office to the governor elect, which being done, the governor shall be publicly declared by the reading of a copy of said certificate of his election, by the clerk of the Senate.

Ordered to lie on the table.

Mr. Markley, from the committee on the judiciary system, reported a bill, entitled

"An act to regulate proceedings in the action of account render:" which was read the first time.

Mr. Grosh, from the committee to whom was referred, on the 12th instant, a law passed by the legislature of the state of Maryland, relative to the Octorara navigation company, on leave given, reported a bill, entitled

"An act relative to the Octorara navigation company:" which was read the first time.

Mr. Raguet, from the committee to whom was referred, on the 6th instant, the petition of the Apprentices' Library Company of Philadelphia, on leave given, reported a bill, entitled, "An act to incorporate 'The Apprentices' Library Company of Philadelphia:" which was read the first time.

Mr. Raguet, from the committee to whom was referred, on the 7th instant, a petition from sundry owners of property in the district of Spring-Garden, on leave given, reported a bill, entitled

"An act to authorise the vacation of Ninth street, north of Callowhill street, in the district of Spring-Garden:" which was read the first time.

Mr. Hill, from the committee appointed on the 9th instant, on the subject of a state census, on leave given, reported a bill, entitled, "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth:" which was read the first time.

Mr. Allshouse, from the committee appointed for the purpose, on the 12th instant, reported a bill, entitled

"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh and recording the same:" which was read the first time.

Mr. Davidson, from the committee on accounts, made reports which was read as follows, to wit:

That they have examined the account of Christian Gleim, late printer for the Senate, exhibited to your committee, for printing indices to the bills of the Senate and House of Representatives, for the four last sessions, also, for the incidental printing of the present session, until the printers were chosen, and find due him, one hundred and eight dollars and twenty-five cents, as appears by the bill hereunto annexed.

Therefore,

Resolved, That the speaker draw his warrant on the state treasurer, in favor of Christian Gleim, for the sum of one hundred and eight dollars and twenty-five cents, which shall be in full for all printing done by him for the Senate, until this time.

1820 The Senate of Pennsylvania, to C. Gleim,		Dr.
Dec. 5.	To printing 27 pages "Index to the bills of Senate," for the four last sessions, at \$1 25 per page,	\$ 33 75
	To do. 32 do. "Index to the bills of the House of Representatives," for the four last sessions, at \$1 25 per page,	40 00
	To printing 200 copies Yeas and Nays,	3 00
	Do. 300 do. Governor's message,	15 00
	Do. 150 do. Printer's proposals,	3 00
	Do. 20 do. Post-office bills,	1 50
	Do. 350 List of members and officers, &c.	8 00
	Do. 34 quires Rules of Senate,	4 00
		<hr/>
		\$ 108 25

On motion,

Said report was again read, and the resolution thereto attached considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

On motion of Mr. Hill and Mr. Cadwallader,

Mr. Breck and Mr. Cadwallader were added to the committee, appointed on the 12th instant, on the subject of the law pass-

ed by the legislature of the state of New Jersey, relative to the prevention of obstructions to the navigation of the river Delaware.

The bill, entitled

"A supplement to an act, entitled 'An act to provide for the erection of an additional court within the city and county of Lancaster:'" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to, and

Ordered, That it be transcribed for a third reading.

A motion was made by Mr. Piper and Mr. Sawyer, and read as follows, to wit:

"Resolved, That a committee be appointed to meet such committee as shall be appointed by the House of Representatives, if that house shall appoint such committee, to fix the day, hour and place, when and where the members of the two houses of the legislature shall be convened to act upon the petitions presented to the speaker of the Senate, contesting the election of Joseph Hiester, as governor elect of this commonwealth."

On motion,

Said resolution was again read, considered and adopted, and

Ordered, That Mr. Piper, Mr. Breck and Mr. Eichelberger, be a committee for the purpose therein expressed.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Dickerson and Mr. Piper,

The report of the committee on claims, in the case of John Waters, read on the 13th instant, was again read, considered and adopted.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill, entitled,

"An act authorising Margaret Messenger and Jacob Messenger, executors of Philip Messenger, deceased, to convey real estate therein mentioned."

And, after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill, entitled

"An act to annul the marriage of George Reid and Elizabeth his wife:"

And, after some time,

The committee rose and reported said bill without amendment.

Adjourned until 11 o'clock to-morrow morning.



## FRIDAY, December 15, 1820.

The speaker laid before the Senate a letter from the secretary of the commonwealth and surveyor general; which was read as follows, to wit:

*To the honorable William Marks, speaker of the Senate.*

SIR,

IN pursuance of a resolution of the Senate, requiring the secretary of the commonwealth and the surveyor-general to lay before them a statement of the progress of the state map, particularly noting the causes of delay, whether in the contractors for the county maps, or either of them, or in the contractor for the state map, or from circumstances out of the control of either, and such other information as in the opinion of the secretary of

the commonwealth and surveyor-general the public interest requires:—We have the honor to state, that on the 19th of March, 1816, Mr. John Melish entered into a contract (a copy of which is annexed) with the secretary of the commonwealth and surveyor-general, in pursuance of the act, entitled, "An act directing the formation of a map of Pennsylvania," and the sum of \$4000 was accordingly advanced to him on the same day. Subsequently, contracts were entered into with various persons for the construction of maps of all the counties, which may be seen in the annexed statement, together with their dates, the sum stipulated and paid for them, with some explanatory remarks on those which were found defective during the last session. Mr. Melish became a contractor for the maps of the counties of Philadelphia, Montgomery, Delaware and Chester, the latter of which was afterwards transferred by him to Mr. Herman of that county; except as to the above counties, Mr. Melish had no control over the county maps, and it must be obvious that until all or nearly all of them were completed he could make no useful progress in constructing the general map of the state. The delay in the progress of this work has therefore been owing entirely to that of furnishing the county maps; in this delay there are various causes arising from the intrinsic difficulties of such an undertaking, as well as from the disposition of those to whom the work was entrusted. One cause of delay arose from the difficulty in procuring persons to undertake the survey of certain counties for the sum limited by law, owing to the want of sufficient actual surveys and the apprehended expense of making them; and even when there was a competition for the contract, the necessary information for constructing the map was not possessed partially by different persons, and the unsuccessful applicant generally refused to communicate any part of his information to his successful rival; another cause of delay arose from the rejection of some of the county maps which upon examination were found too inaccurate to be accepted and were returned for correction; the map of Mifflin county was the last one received that was essentially necessary to the projection of the general map, this was delivered on the 18th day of December, 1819, but not until after a suit had been brought against the contractor; that of Chester was received still later, but lying in a corner of the state, it could not materially affect the position of the other counties. Although some delay no doubt has arisen from the want of diligence and perseverance on the part of some of the contractors for the county maps, yet after a perusal of the voluminous correspondence, we think it is evident, from the liberality of their complaints and apologies, that there were very many difficulties to overcome. As soon as the map of Mifflin county was obtained, Mr. Melish laid down a sketch of

general design of the state map and the county lines and exhibited it for inspection; these lines were carefully tested by reducing all the county maps to the same scale upon slips of paper and connecting them upon the general draft, whereby every discrepancy in the county lines was most readily discovered; this examination satisfied us that some material corrections were necessary in the maps of Luzerne, Susquehanna, Wayne, Pike and Northampton, and more especially in those of Northumberland, Union and Columbia; preferring a further delay to accepting the map with so many imperfections, we directed Mr. Melish not to fill up the drawing, and have since used all practicable diligence to procure information from such of the contractors for those counties as were capable and willing to give it, together with surveys of such lines and parts of the Susquehanna as appeared to be necessary. It was expected that the running of the lines of Union, Mifflin and Centre counties, by their commissioners, in pursuance of a law of the last session, would have supplied whatever was wanting on that subject; but when these lines were obtained, being in detached parts, they were found altogether insufficient, and a surveyor was employed to proceed to the ground and run all the lines that we have deemed necessary to correct the errors in the maps of Union, Centre and Lycoming counties. We have also procured surveys of those parts of the Susquehanna that were required to correct the map of Northumberland, which, together with surveys and notes obtained from the contractors for Luzerne and Susquehanna, and numerous surveys of state roads sent from the office of the secretary of the commonwealth to Mr. Melish, have enabled him to fix the boundaries of those counties with as much accuracy as the nature of the case will possibly admit of.

Mr. Melish has now completed a drawing of the general map with all the counties filled up, except Greene and Union, for the former we have the assurance of the contractor that in a very short time all the corrections wanted shall be furnished, and the surveys now making will supply every known defect in the latter; the draft has undergone a patient and rigid examination in all its parts, and the county lines have been in like manner again tested by the reduced maps, as also by known surveys of roads, lines, rivers, &c. Many of the minor details of such a map can only be judged of by those who have a local acquaintance with the respective places; these have been improved from time to time by the suggestions of members of the legislature, and others from all parts of the state, to whom they have been frequently submitted for inspection; and we have the satisfaction to say, with much confidence, that the map promises to be one of uncommon excellence; the elementary plan.

of constructing it by connecting the smallest political divisions of territory and combining them into a whole, to fill up the outline and agree with each other, was adapted to the attainment of greater certainty and perfection than any other mode, but attended with much greater labour and expense than to have made the parts conform to the outlines, where the pencil might be used instead of the surveyor to adjust the disagreements between adjoining townships or counties.

Mr. Melish has been directed to put all the sheets into the hands of the engraver, except those containing Greene and Union counties, and as we have a perfect confidence of these being completed in a short time, we are not aware of any cause connected with the work that can occasion any further delay in its progress.

It may not be improper to add something as to the general character of the state map. The materials of which it is constructed are:

1. The county maps.
2. The boundary lines of the state.
3. The survey of the post road from Washington to New-York.
4. The best maps of the adjacent states, and numerous surveys of roads, rivers, &c. &c. passing in every direction through Pennsylvania.

As has already been remarked, the state map is formed by the combination of counties, and the county maps by the combination of townships, cities and boroughs, and these have been corrected by the known northern and southern boundaries of the state, the former in latitude 42 degrees, the latter in latitude 39 degrees 43 minutes, which, together with the eastern boundary, consisting of the Delaware river, and the western boundary, five degrees from the Delaware on the southern line, have been adopted as a basis for the whole work; to these may be added the original survey of the circular line between Pennsylvania and Delaware, as authorised by William Penn.

The drawing extends from the south point of the Cayuga and Seneca lakes, in the state of New-York, to the most southern point of the district of Columbia, and from about 20 miles west of the western boundary in the state of Ohio, to about 10 miles

east of the city of New-York. In addition therefore to the state of Pennsylvania, the map exhibits an interesting view of the adjacent states, viz:—On the north, New-York, west, Ohio and Virginia, south, Virginia, Maryland, Delaware and the District of Columbia, east, the whole state of New-Jersey, the Delaware bay, the sea coast to New-York, and the course of the Hudson river to Kinderhook, 14 miles above the city of Hudson.

The title is on the north-east sheet and below it a scale of statute miles and another of geographical miles; above the title is a representation of the state arms; on the south side of the map upon the middle sheet is a statistical table with columns for the counties; their length, breadth and area.

Population for 1810 and 1820, and the inhabitants to each square mile in 1820; the number of townships and number of post-offices in each county.

The county towns and their population for 1820, with the distances from Harrisburg and Washington.

There is on one side a table of references, containing an explanation of the characters used in the map, and on the other side a table containing statistical and geological remarks.

On the south-west corner of the western sheet there is a table of general information relative to the plan, materials and construction of the map.

The whole design is, in our opinion, judiciously arranged and well executed, and should the engraving be done with neatness, it cannot fail to give general satisfaction.—The publisher intimates that the engraving will require about nine months to complete it, which is the extent of the time he now claims for bringing forward the map for publication.

In conclusion we would remark that the whole money paid on account of this undertaking heretofore, including the advance to the publisher, is \$24,776 75, and that the only further expense contemplated by the act is the allowance for surveys now making, and \$1500 to be paid to the publisher for his personal service for the drawing and general superintendence of the work during its progress.

All which is respectfully submitted,

S. D. INGHAM, *Sec'ry. Com.*  
JACOB SPANGLER, *S. G.*



Ordered, to lie on the table.

On motion of Mr. Davidson and Mr. Winter,

Ordered, That the usual number of copies of the foregoing letter be printed for the use of the members.

The speaker laid before the Senate a letter from the auditor general; which was read as follows, to wit:

*Auditor General's Office, 14th Dec. 1820.*

SIR,

The enclosed copy of the report of the president and managers of the Perkiomen and Reading turnpike road, is respectfully submitted to the Senate, in conformity with the 46th section of the act of the 24th March, 1817, entitled "An act making appropriations for internal improvement."

Very respectfully, sir,

Your most obedient servant,

GEO. BRYAN.

*Honorable speaker of the }  
Senate of Pennsylvania. }*

Annual statement of the accounts of the president, managers and company of the Perkiomen and Reading turnpike road, from the 1st of December, 1819, till the 30th day of November, 1820, inclusive.

*During which year the receipts were as follows:*

From tolls	\$9040 57
Arrears on shares	190 00
Interest on do.	40 40
Bank stock purchased to reduce notes at Farmers bank of Reading	2400 00
Dividend on do.	12 00
Loan	150 00
Sale of toll house	146 16½
Error in former statement	40 00
Balance at last statement	84 63
	————— \$12,103 76½

*During same period were paid out the following sums:*

In payment of Discount at bank	\$3426 40
Reduction of notes at bank—	
By bank stock	\$2400 00
cash	4102 00
	————— 6502 00

Contingent expenses	10 80	
Salaries of gate-keepers and other officers	1484 91	
Loans reduced	400 00	
Repairs	737 89	
On old contracts	130 40	
Interest on loans	689 32	
	<hr/>	\$13,390 80
		<hr/>
		\$1,287 04½

Balance in favor of treasurer, one thousand two hundred and eighty-seven dollars four and a half cents.

SAMUEL BAIRD, Treasurer.

*Statement of the debts of the Perkiomen and Reading turnpike company.*

Notes due to the bank of Pennsylvania	\$38,050 00	
Do. Farmers bank of Reading	13,500 00	
Do. Norristown	1,223 00	
	<hr/>	
Whole amount of notes		\$52,773 00
Loans from individuals		12,388 00
Floating debts due to workmen, and supposed about		6,500 00
		<hr/>
		\$71,661 00
Balance against treasury		1,287 04½
		<hr/>
Whole amount of debts		\$ 72,948 04½

Capital stock of company,		
2,158 shares, at \$50 per share		109,250 00
on which has been collected	\$107,435 56	
still due	1,814 44	
	<hr/>	
		109,250 00
Bank stock bought to reduce company's note at Farmer's bank, Reading		600 00
		<hr/>
		109,850 00

Correctly copied,

GEO. BRYAN, A. G.

Ordered, To lie on the table.

Mr. Grosh presented a petition from Obed Fahnestock and Peter Leman, in behalf of the society of Seventh Day Baptists,

in the county of Franklin, stating that Richard Sparks, by his last will and testament, bequeathed a certain lot of ground in the city of Philadelphia, for a burying place for the use of the people or society, called the Seventh Day Baptists; that very few persons have been interred in said lot, and that no such society now exists in said city. The petitioners therefore pray, That their agents or some other fit persons may be authorised to sell or improve said lot: and said petition was read and referred to the committee appointed on the 6th instant on the subject to which it relates.

Mr. Conyngham from the committee appointed for the purpose yesterday, reported a bill, entitled

"An act to erect the town of Montrose in the county of Susquehanna, into a borough:" which was read the first time.

The bill, entitled

"A supplement to an act, entitled "An act to provide for the erection of an additional court within the city and county of Lancaster:" was read the third time, and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The clerk of the House of Representatives being introduced, presented for concurrence three bills, entitled as follow, viz:

"An act to reduce the salaries of the officers of government, and the daily pay of the members of the legislature, and for other purposes."

"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve."

"An act to change the name of Mary Josephine Sige, to Mary Josephine Soullier."

Said bills were severally read the first time.

He also presented an extract from the journal of that house, which was read as follows, viz:

*"In the House of Representatives,*

*December 14, 1820.*

"The report of the committee appointed to confer with a committee of Senate, respecting the time, place and manner of

ascertaining and declaring the election of governor: was read the second time, considered and adopted; and

"Ordered, That Mr. Robbins be appointed teller on the part of this house with a member of Senate, to make a list of the votes as the same shall be declared; and that Messrs. Coulter, Good and Hunt, be a committee on the part of this house to attend the governor elect on Tuesday next, for the purpose expressed in said report."

The bill, entitled

"An act authorising Margaret Messenger and Jacob Messenger, executors of Philip Messenger, deceased, to convey real estate therein mentioned;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Hubley and Mr. Breck,

To amend the same, by striking from lines six, seven and eight, the following words, to wit: "after having given at least ten days public notice of the time and place of sale, in one or more of the newspapers published in Easton," and by inserting after the word "same" in line ten, the following words, to wit: "giving at least ten days public notice of the time and place of sale, in one or more of the newspapers published in Easton;" which amendment was agreed to, and the section as amended was then agreed to.

Section two was considered and agreed to.

The preamble was considered and agreed to.

The title being under consideration,

A motion was made by Mr. Raguet and Mr. M'Mullin,

To postpone the further consideration of the same for the present, for the purpose of re-considering the second section; which was agreed to; and

Section two being under consideration,

A motion was made by Mr. Raguet and Mr. Davidson,

To postpone the further consideration of the same together with the bill, for the present: which was agreed to.

The bill, entitled

"An act to annul the marriage of George Reid and Elizabeth his wife:" was read the second time, as reported by a committee of the whole yesterday.

The section being under consideration,

A motion was made by Mr. Hill and Mr. Davidson,

To amend the same by inserting after the word "Reid" in line four, the words "of the city of Philadelphia;" and by striking from the same line the words "at Philadelphia;" which was agreed to.

A motion was then made by Mr. Raguet and Mr. Smith,

To amend said section by striking out all that follows the enacting clause, and by inserting in lieu thereof the following, to wit:

"That Elizabeth Reid, wife of George Reid, a foreigner (who is now a convict in the penitentiary at Philadelphia) be, and she hereby is authorised and empowered to make application by her next friend, to the judges of the court of common pleas of the county of Philadelphia, for a divorce from her said husband from the bonds of matrimony; and the said judges shall receive and act upon her petition or libel, and grant such relief therefor as they lawfully might or could do, if the said Elizabeth were the wife of a citizen of this commonwealth."

Whereupon,

A division of the question was called for by Mr. Davidson, to end with striking out; and

On the question,

Will Senate agree so to strike out?

It was determined in the negative; and

On the question,

Will Senate agree to said section?

The yeas and nays were required by Mr. Smith and Mr. Davidson; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cochran, Conyngham, Davidson, Eichelberger, Eyster, Feger, Fry,	Messrs. Hill, Hurst, Leib, M'Mullin, Power, Sawyer, Wallace, Winter, Marks, Speaker. 18.
NAYS.	NAYS.
Messrs. Allshouse, Dickerson, Grosh, Hubley,	Messrs. Markley, Raguet, Smith, Willett. 8.

So it was determined in the affirmative.

The title being agreed to,  
Ordered, That said bill be transcribed for a third reading.

On motion of Mr. Davidson and Mr. Cochran,  
The report of the committee relative to the time and place of opening and publishing the returns of the election for governor, read yesterday, was again read, and the several resolutions thereto attached, considered and adopted.

Adjourned until 11 o'clock to-morrow morning.

## SATURDAY, December 16, 1820.

The speaker laid before the Senate a letter from the state treasurer: which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth  
of Pennsylvania.*

Gentlemen,

I have this day delivered to the clerk of the House of Representatives, six hundred copies of a printed report of the receipts and payments at the state treasury, for the year ending with the 30th of November last, which exhibits a balance in the treasury, on that day, of twenty-seven thousand three hundred and sixty-nine dollars and ninety cents; of this sum, nine thousand seven hundred dollars is in paper of banks that do not redeem their notes with specie, the greater part of which was received as payment of tax on bank dividends. This description of notes has been indorsed by the proper officer of the bank from which they issued, agreeably to the provisions of the 6th section of the act of the 29th March, 1819.

In a communication to the legislature, on the 13th December, 1819, it was stated that the notes of the Northwestern Bank of Pennsylvania had not been presented at the bank for redemption, in consequence of the cashier having given an assurance that the whole amount then in the treasury would be taken up in the payments from the state to be made to the Anderson's creek and Waterford turnpike road company. It is but justice to that bank to state that the engagement has since been fulfilled.

I have the honor to be,

Very respectfully,

Your obedient servant,

**RICHARD M. CRAIN, Treasurer.**

*Treasury Office of Pennsylvania, Dec. 16th, 1820.*

Ordered to lie on the table.

The speaker also laid before the Senate a letter from the secretary of the commonwealth, informing that he has this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of James M<sup>r</sup>. Clellan, esquire, a justice of the peace of Chester county, before James Boyd, esquire, one of the associate judges of the court of common pleas of said county.

Ordered to lie on the table.

The speaker also laid before the Senate a letter from John Ford, armorer, together with the document therein referred to which were read as follows, to wit:

*Harrisburg, Dec. 16th, 1820.*

SIR,

The enclosed statement exhibits the number of arms and their condition, together with the camp equipage, the property of this commonwealth, now deposited in the arsenal at Harrisburg, which I submit in obedience to an act of the general assembly, entitled "An act to provide for the erection of two arsenals," passed the 15th day of March, in the year 1820.

With respect, Sir, I am

Your's,

JOHN FORD, *Armorer.*

WILLIAM MARKS, jun. Esq.  
Speaker of the Senate.

*Report of Military Stores deposited in the Arsenal at Harrisburg, Pennsylvania, December the 16th, 1820.*

## FIELD ARTILLERY.

1 Six-pounder, brass, mounted.	2 Hand spikes.
1 Six-pounder, iron, mounted.	2 Setts of horse gears.
2 Field carriages.	2 Collars.
1 Gunners' belts & implements.	2 Bridles.
1 Powder horn.	5 Bricoles.
1 Tube box.	1 Trail box.
1 Apron.	1 Port fire stock.
1 Sponge, rammer and screw.	2 Drag ropes.
1 Water bucket.	1 Lint stock.

## INFANTRY.

2,400 Muskets complete, with bayonets, among which are 1375 Harper's ferry muskets.	1,284 Bayonet scabbards.
457 Muskets complete, cleaned and racked.	1,427 Bayonet belts.
312 Deficient muskets, with bayonets.	284 Cartridge boxes, with belts.
479 Deficient muskets, without bayonets.	1,696 Cartridge boxes, without belts.
138 Bayonets, loose.	10,000 Musket flints.
	52 do. locks, unfinished.
	15 do. barrels, useless.
	12 do. stocks, useless.
	1,492 Cartridge box belts.

## RIFLES.

48 Rifles, deficient.	25 Wipers.
18 Bullet moulds.	3 Chargers.



1,007 Tents, complete.  
 2,752 Tent poles.  
 10,792 Tent pins.  
 2,287 Knapsacks, complete.  
 1,174 Canteens.  
 767 Camp kettles.  
 45 Stew pans, oval.  
 46 Stew pan covers.

100 New axes.  
 34 Mattocks, wanting repairs.  
 33 Spades, wanting repairs.  
 1 Drum, complete.  
 8 Drum rims.  
 11 Mallets.  
 73 Old axes, wanting repairs.

The above total, are the arms and implements of war, now deposited in the arsenal at Harrisburg.

JOHN FORD, Armorer.

510 Muskets, (Pennsylvania,) delivered out of the arsenal since the report of December 16th, 1818, upon orders from the governor.

JOHN FORD, Armorer.

Ordered to lie on the table.

Mr. Hurst presented the petition and documents of James Herrington, armorer and keeper of the arsenal at Meadville, praying to have a certain sum of money refunded to him, which he has expended for painting the roof of said arsenal: and said petition was read and with the documents referred to Mr. Hurst, Mr. M'Mullin and Mr. Hill.

Mr. Cadwallader presented a petition from Charles Wilson Peale, stating that he is the founder of the institution which has for a considerable time existed in the city of Philadelphia, under the name of "Peale's Museum," and praying that a law may be passed to incorporate certain trustees, in whom the property of said museum may be vested: and said petition was read and laid on the table.

On motion,

Ordered, That Mr. Davidson, Mr. Alter and Mr. Cochran, be a committee to wait upon the governor elect, agreeably to the resolution on that subject, adopted yesterday, and that Mr. Raguet be appointed teller, on the part of the Senate, at the opening and casting up the votes given at the late election for governor.

Ordered, That the clerk inform the House of Representatives accordingly.

The bill, entitled

"An act to annul the marriage of George Reid and Elizabeth his wife;" was read the third time, and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Markley and Mr. Eichelberger; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Breck, Cadwallader, Cochran, Conyngham, Davidson, Eichelberger, Eyster, Feger,	Messrs. Fry, Hill, Hurst, Leib, M'Mullin, Power, Sawyer, Wallace, Winter, Marks, Speaker, 20.
NAYS.	NAYS.
Messrs. Allshouse, Coleman, Dickerson, Grosh, Hubley,	Messrs. Markley, Piper, Raguet, Smith, Willett. 10.

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Breck and Mr. Cochran,

Ordered, That so much of the report of the committee, made to the last session, as relates to the entrance to both the chambers of the legislature in the state capitol, be referred to the committee appointed on the subject of the state capitol, on the 9th instant.

A motion was made by Mr. Raguet and Mr. M'Mullin, and read as follows, to wit:

Whereas it is important in developing the resources and commerce of a state, that the best means of ascertaining the quantity of its productions should be embraced, which are present by the nature of the case; and whereas by the constitution of United States it is declared that no state shall, without the consent of congress, lay any imposts or duties on imports or exports, except what may be absolutely necessary for executing its inspection laws; and whereas there is reason to believe the charges of inspection, now authorised in some cases are more than absolutely necessary for carrying the effect:

Therefore,

Be it resolved, by the Senate and House of Representatives of the commonwealth of Pennsylvania, in general assembly convened, That it shall be the duty of the inspectors of butter, of shad and herring, of butter and lard, of whiskey, of staves, heading and shingles, of board and timber, within the city and county of Philadelphia, on the first month of January, in each and every year, to ascertain, by the auditor-general, the quantity of the various commodities, and the value of them severally inspected during the preceding year, and the casks of butter, lard, whiskey and brandy, and the kind of casks or kegs, as well as the quantity, with the amount of their several receipts.

Ordered to lie on the table.

The clerk of the House of Representatives returned the bill, entitled

“An act reducing the salaries of the officers of the commonwealth.”

And informed, That the House of Representatives passed said bill without amendment.

He also presented an explanatory report which was read as follows:

On motion,

Ordered, That Mr. [Name] be a committee on the [Subject], and that the committee as made.

consider the subject of fixing a day, within ten days from and after the ninth instant, to be agreed upon by the two Houses, whereon the members of the two Houses shall convene, in a conference room, and act as the law directs upon the petitions contesting the election of Joseph Hiester as governor, of which this House received notice from the speaker of the Senate, on the ninth instant aforesaid."

On motion of Mr. Willett and Mr. Conyngham,

The Senate resolved itself into a committee of the whole, Mr. Cochran in the chair, on the bill, entitled

"An act for the relief of Frederick Wendt, an old soldier."

And after some time,

The committee rose and reported said bill with one amendment: which was read.

On motion of Mr. Breck and Mr. Piper,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act to change the name of Mary Josephine Sige to Mary Josephine Soullier:" was read the second time, considered by section and agreed to, and

Ordered, That it be prepared for a third reading.

On motion of Mr. Davidson and Mr. Eichelberger,

The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill, entitled

"An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth."

And after some time,

The committee rose and reported said bill with amendments: which were read.

On motion of Mr. Davidson and Mr. Power,

The Senate adjourned until 10 o'clock on Monday morning.

**MONDAY, December 18, 1820.**

Mr. Piper from the joint committee appointed to fix on the day hour and place, when and where, the members of the two house of the legislature shall be convened, to act upon the petition presented to the speaker of the Senate, contesting the election of Joseph Hiester as governor elect, made report; which was read as follows, to wit:

Resolved, That Tuesday next, at half past eleven o'clock, be the time fixed on; when the members of the two houses shall convene in the chamber of the House of Representatives, to proceed as the law directs, in relation to the petitions contesting the election of Joseph Hiester.

On motion,

Said resolution was again read; and the same being under consideration,

A motion was made by Mr. M'Meens and Mr. Winter,

To amend the same by striking out the words "Tuesday next at half past eleven," and by inserting in lieu thereof, the words "Monday, the 18th instant at twelve."

Whereupon,

A division of the question was called for by Mr. Davidson, to end with striking out "Tuesday;" and

On the question,

Will Senate agree so to strike out?

The yeas and nays were required by Mr. M'Meens and Mr. Hurst; and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Fry,  
Hurst,  
Markley,  
M'Meens,

YEAS.

Messrs. Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,

11.

## NAYS.

Messrs. Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,

## NAYS.

Messrs. Feger,  
Grosh,  
Hill,  
Hubley,  
M'Mullin,  
Piper,  
Raguet,  
Willett,  
Marks, Speaker,

19.

So it was determined in the negative.

A motion was then made by Mr. Davidson and Mr. Alter,

To amend the same by striking out the words "half past," which was agreed to; and the resolution as amended was then agreed to.

Ordered, That the clerk inform the House of Representatives accordingly.

The clerk of the House of Representatives being introduced presented an extract from the journal of that house, which was read as follows, viz:

*"In the House of Representatives,  
December 18, 1820.*

"On motion

"The report of the committee appointed to confer with a similar committee of Senate, on the subject of agreeing upon a day and hour for the meeting of the members of both houses, for the purpose of selecting a committee, according to law, to try the matters of the petitions contesting the election of Joseph Hiestler, as governor of this commonwealth; was read a second time, considered and adopted; being amended by striking therefrom the words "half-past."

Mr. Coleman from the committee to compare bills and present them to the governor for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the governor for his approbation, a bill, entitled

"An act reducing the salaries of the Governor and Secretary of the Commonwealth."

On motion of Mr. Davidson and Mr. Grosh,

Resolved, That the hour of meeting in the chamber of the House of Representatives, for the purpose of proceeding to the inauguration of the governor elect, be half-past nine o'clock to-morrow morning; and

Ordered, That the clerk inform the House of Representatives accordingly.

The secretary of the commonwealth being introduced, presented a message from the governor; which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following act of the general assembly, entitled "An act reducing the salaries of the Governor and Secretary of the Commonwealth," and directed the secretary to return the same to the house in which it originated.

WM. FINDLAY.

*Harrisburg, December 18th, 1820.*

On motion of Mr. Davidson and Mr. Leib,

Ordered, That when Senate adjourns it will adjourn until 9 o'clock to-morrow morning.

On motion,

Mr. Markley, Mr. Wallace and Mr. Hurst, were appointed a committee, in conjunction with a committee from the House of Representatives, if that house shall appoint such committee, to wait upon the governor and invite him to attend the inauguration of the governor elect, to-morrow, at half-past nine o'clock, in the chamber of the House of Representatives.

Ordered, That the clerk inform the House of Representatives accordingly.

The bill from the House of Representatives, entitled

"An act to change the name of Mary Josephine Sige, to Mary Josephine Soullier;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that Senate have passed the same without amendment.

On motion of Mr. Raguet and Mr. Davidson,

The resolution read on Saturday last, relative to the inspectors of pork and beef, &c. was again read, considered and adopted; and

Ordered, That the clerk present the same to the House of Representatives for concurrence.

The bill, entitled

"An act for the relief of Frederick Wendt, an old soldier;" was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Mr. Coulter and Mr. Orr, a committee from the House of Representatives being introduced, informed Senate that the chamber of that house is now ready for the reception of Senate, for the purpose of opening and publishing the returns of the votes for governor of this commonwealth.

Whereupon,

On motion,

The Senate withdrew to the chamber of the House of Representatives, for the purpose aforesaid.

### SAME DAY.

Mr. Raguet, teller on the part of the Senate, to officiate at the meeting of the members of the two houses of the legislature, for the purpose of ascertaining the votes given for governor, at the late general election, made report; which was read as follows, to wit:

That at a meeting of the members of the two houses of the legislature, this day, in the chamber of the House of Represen-



tatives, the following appeared to be the result of the votes given for governor, at the late general election, in the several counties of this commonwealth, to wit:

**VOTES FOR GOVERNOR AT THE GENERAL ELECTION, IN OCTOBER, 1820.**

<i>City and Counties.</i>	<i>Hester.</i>	<i>Scatter- Findlay. ing.</i>
City and county of Philadelphia,	6,908	4,409
Bucks,	3,043	1,878
Chester,	3,328	2,930
Lancaster,	5,073	3,176
York,	2,131	2,621
Cumberland,	1,828	1,886
Berks,	4,355	2,757
Schuylkill,	940	708
Northampton,	1,605	2,714
Lehigh,	1,079	1,686
Wayne,	226	228
Pike,	216	287
Northumberland,	1,031	1,300
Union,	1,621	1,040
Columbia,	916	1,148
Washington,	1,814	3,037
Indiana and Jefferson,	432	977
Armstrong,	495	1,016
Westmoreland,	2,104	2,366
Fayette,	1,463	2,120
Bedford,	1,458	1,545
Franklin,	2,330	2,200
Montgomery,	2,516	2,827
Dauphin,	2,000	1,304
Lebanon,	1,290	1,206
Luzerne,	1,065	1,124
Susquehanna,	496	663
Bradford,	788	915
Huntingdon,	1,612	1,196
Beaver,	1,100	858
Allegheny,	1,749	1,702
Butler,	438	779
Mifflin,	1,134	1,503
Delaware,	1,103	560
Somerset,	1,213	819
Cambria,	207	191
Lycoming, Potter and M'Kean,	769	1,133
Tioga,	142	363

Greene,	-	-	507	1,229	8
Adams,	-	-	1,940	791	
Centre and Clearfield,	-	-	816	1,516	
Crawford,	-	-	580	581	1
Erie,	-	-	415	519	
Venango,	-	-	190	514	
Mercer,	-	-	582	868	
Perry,	-	-	754	933	
Warren,	-	-	96	175	
			<hr/>	<hr/>	<hr/>
			67,905	66,300	21

WE CERTIFY, That the total number of votes, given for the office of Governor, at the late general election, is one hundred and thirty-four thousand two hundred and twenty-six.

Of which, JOSEPH HIESTER, had sixty-seven thousand nine hundred and five.

WILLIAM FINDLAY, had sixty-six thousand three hundred.

Scattering, twenty-one.

Attest, CONDY RAGUET,

*Teller on the part of the Senate.*

SAMUEL J. ROBBINS,

*Teller on the part of the  
House of Representatives.*

The bill, entitled

"An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth:" was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill, entitled

"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh and recording the same."

And after some time,

The committee rose and reported said bill without amendment.

The clerk of the House of Representatives being introduced presented an extract from the journal of that house; which was read as follows, viz:

*"In the House of Representatives,  
December 18, 1820*

*"Resolved, That the inauguration of the governor elect, shall be at half-past 9 o'clock to-morrow.*

*"Resolved, That a committee be appointed on the part of the house, who shall, in conjunction with a similar committee of the Senate, if the Senate shall appoint such committee, to wait on the present governor, and invite him to attend the inauguration of the governor elect, to-morrow, at half-past 9 o'clock, in the chamber of the House of Representatives; and*

*"Ordered, That Messrs. Smith, Lawrence and Leiper, be the committee."*

Adjourned until 9 o'clock to-morrow morning.

## TUESDAY, December 19, 1820.

Mr. Breck presented a petition from the Pennsylvania society for promoting the abolition of slavery, praying for the passage of a law for the immediate and total abolition of domestic slaves within this commonwealth: and said petition was read and referred to Mr. Breck, Mr. Willett, Mr. Fry, Mr. Coleman and Mr. Markley.

Mr. Breck also presented the petition of Thomas R. Peter praying that a law may be passed to authorise him to erect

dam and locks upon the Clarion river in the county of Venango; and said petition was read and referred to the committee on roads, bridges and inland navigation.

The bill, entitled

"An act for the relief of Frederick Wendt, an old soldier:" was read the third time; and

Resolved, That it pass.

The bill, entitled

"An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth:" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

Mr. Raguet read a bill in his place, and on leave given, presented the same to the chair, entitled

"A supplement to an act entitled "An act, to raise and collect county rates and levies:" which was read the first time.

The bill, entitled

"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh and recording the same:" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Mr. Atlee and Mr. Dorrance, a committee from the House of Representatives, being introduced, informed Senate that the members of the House of Representatives are ready to receive the members of the Senate in their chamber; where the requisite oaths will be administered to the governor elect, agreeably to the joint resolution of both houses of the legislature,

Whereupon,

On motion,

The Senate withdrew to the chamber of the House of Representatives.

## SAME DAY.

The Senate having returned to their chamber, the speaker informed them that after the governor had finished his inaugural address to the members of the two houses this day, he put into his hands a copy thereof, which he now submitted to the Senate; and which was read as follows, to wit:

## FELLOW-CITIZENS,

The distinguished mark of confidence with which I have been honored, in being called by the public voice to perform the functions of the executive department of this state, demands my warmest acknowledgments. The opportunity now presented is embraced to express to you, and through you to the free-men of this commonwealth, the lively sense of gratitude with which the public suffrage, in my favor, has filled me. My conduct in that station in which the people have been pleased to place me, contrary to my own inclination and judgment, shall, I hope, prove the sincerity of the gratitude expressed.

The solemn pledge which I have just given to perform the duties of my office with fidelity, impresses me with a deep sense of their importance, and I have reason to implore the assistance of Divine Providence in the arduous task I have undertaken.

The many difficulties which a chief magistrate of this state has to encounter, increased probably at this time beyond what they have been heretofore, and the great responsibility attached to his office, render me seriously apprehensive that my best efforts will be inadequate to give satisfaction, even to the disinterested and patriotic part of the community. But, I trust, if any errors shall be committed, they will not be chargeable to intention, they will owe their origin to the imperfection of our nature and the narrow limits of human foresight; they will not proceed from a wilful neglect of duty on my part, nor from any want of devotion to the best interests of our beloved country. Such errors, I may justly hope, will meet with indulgence from an enlightened and liberal people. Where censure shall, upon a full and impartial view of matters, be merited, let it not be withheld. It is the duty of freemen to examine closely into the conduct of those to whom they have delegated their power, or the guardianship of their rights and in-

terests; to censure the abuse of the one, or the neglect and mismanagement of the other.

In approaching the station to which I have been called, with a due sense of its difficulty and responsibility, I pledge myself to pursue with sincerity and diligence, that course which my best judgment shall direct, to promote public happiness; and believing that to cherish and strengthen an attachment to free government; to soften the rancor and allay the prejudices of party spirit; to unite the mass of the people as one republican family, will be among the means of increasing the comforts of social life, I shall direct all my efforts to accomplish these purposes. Considering myself as elected by the people of this commonwealth and not by any particular denomination of persons, I shall endeavor to deserve the name of Chief Magistrate of Pennsylvania, and to avoid the disgraceful appellation of Governor of a party. In appointments to office, it will be my endeavor to select without distinction of party, such as I believe to be the most honest and capable; and if I shall be successful in this respect; I trust, that with the assistance of your wisdom and patriotic endeavors in matters of legislation, the prosperity of the commonwealth may be promoted; its relations with the general government honorably upheld, and all its lawful rights maintained.

In deliberating upon the concerns of the commonwealth,

*Gentlemen of the Senate and  
House of Representatives,*

You will find one of the most prominent topics to be the stagnation of trade and business of every description, the almost total annihilation of confidence between man and man, and the distress of many individuals of the community. If any thing could be done to encourage and revive the activity of our citizens; if any means could be devised to restore confidence and to prevent the sacrifice of property with due attention to the rights of all parties, I should most heartily concur in any measures calculated to attain these desirable ends. Permit me to suggest to you whether it would not be possible to devise some method of reducing the enormous power and patronage of the governor, without impairing the other general features of our present excellent constitution; whether the annual sessions of our Legislature might not be shortened without detriment to the public good; whether a reduction of salaries, of fees of office, and compensation for public services, ought not at this time to take place, to correspond in some degree with

the reduced prices of agricultural produce. It also deserves serious consideration whether public improvements might not, at this time, be advantageously made, and domestic manufactures encouraged with success. Above all, it appears an imperative duty, to introduce and support a liberal system of education, connected with some general religious instruction. These are matters which will certainly engage your attention, and will probably be objects of your deliberations, and if any adequate measures shall be proposed; it would give me great pleasure to be instrumental in their promotion.

Let us, fellow citizens, every one in his station, for we are all members of one family, by whatever name we may be designated, unite in earnestly laboring to promote the common good; and that Providence, which has heretofore granted us abundant blessings, will, I humbly trust, continue them; and so crown our labors, that our posterity, in the enjoyment of every desirable, civil and religious privilege, may bless our memory, when we are mouldering in the dust with those whose toil and blood achieved our liberties.

JOSEPH HIESTER.

*Harrisburg, December 19, 1820.*

Ordered, To lie on the table.

On motion of Mr. Eichelberger and Mr. Cadwallader,

Ordered, That three hundred copies of the foregoing address, be printed for the use of the members of Senate.

On motion of Mr. Raguet and Mr. Davidson,

Mr. Piper was appointed on the part of the Senate to officiate at the selection of a committee to decide upon the petitions contesting the election of Joseph Hiester, as governor of this commonwealth.

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Weaver and Mr. Lombaert, a committee from the House of Representatives, being introduced, informed Senate that the chamber of that house is ready for the reception of Senate, to proceed as the law directs, in relation to the petitions contesting the election of Joseph Hiester, governor of this commonwealth.

Whereupon,

The speaker laid before the Senate a letter from the agents of the petitioners, which had just been handed to him; and which was read as follows, to wit:

*To the honorable the Senate and House of Representatives of the commonwealth of Pennsylvania, in General Assembly met.*

The undersigned two, on the list of certain qualified voters of the city of Philadelphia, who petitioned for a scrutiny into the legality of the election of Joseph Hiester, as governor of this commonwealth, attended at Harrisburg with the view of conducting the contest.

They had the honor to deliver to the speaker of the Senate, on Saturday, the 9th instant, a petition from the city of Philadelphia, for the purposes therein specified; which, they believe, has all the formalities required by the laws of the state, and due notice was given to both branches of the legislature of its presentation.

The third section of the second article of the constitution of Pennsylvania provides, That "the governor shall hold his office during three years, from the third Tuesday of December next ensuing his election." And the fourteenth section of the same article provides, "If the trial of a contested election shall continue longer than until the third Tuesday in December, next ensuing the election of a governor, the governor of the last year or the speaker of the Senate, who may be in the exercise of the executive authority, shall continue therein until the determination of such contested election, and until a governor shall be qualified."

The undersigned have learned, that by a resolution of both houses of the legislature, it was decided to inaugurate Joseph Hiester, as governor, and the ceremonial of his induction into office has just taken place. They do not presume to question the correctness of this determination; but, justice to themselves requires, that they should make known the course which they have concluded under the circumstances of the case to pursue.

The undersigned believe, that by the constitution and laws of the state, it was not contemplated that the trial of a contested election of a governor should take place after his installation into office; and, under these impressions, they have determined to withdraw from the contest. In making known these, their intentions, they declare that the object of the petitioners in requiring a scrutiny, was not with the view of a temporary post-



ponement of the inauguration of Joseph Hiester, but because they believed that the elective franchise had been perverted to a degree which threatened the integrity of our republican institutions. They conscientiously believed, that at the late election, frauds and irregularities had been committed, to an amount which would have substantiated the charge of the false return of Joseph Hiester as governor, and which had therefore stifled the fair expression of the public will.

The object of the undersigned, in attending at the seat of government was, with the view of correcting such abuses; abuses which they hope may never hereafter occur, to become the ground work of a legislative inquiry.

They conceive that a further prosecution of the scrutiny could not result in any benefit to the community, but would involve them in an expense, which, under the circumstances of the case, might not be justified.

**FRANCIS SHOEMAKER,  
HENRY L. CORVELL.**

Ordered, To lie on the table.

A motion was then made by Mr. Breck and Mr. Leib,

"That a committee be appointed to inform the House of Representatives, that the agents for the petitioners, contesting the election of Joseph Hiester, have declined to act therein; and have by a letter addressed to the speaker of the Senate, refused to prosecute the said contest any further;" and

On the question,

Shall such committee be appointed?

The yeas and nays were required by Mr. Leib and Mr. Davidson, and are as follow, to wit:

**YEAS.**

Messrs. Allshouse,  
Breck,  
Cadwallader,  
Cochran,  
Dickerson,  
Feger,  
Hurst,  
Leib,  
Markley.

**YEAS.**

Messrs. M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker.

## NAYS.

Messrs. Alter,  
Barnard,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,

## NAYS.

Messrs. Fry,  
Grosh,  
Hill.  
Hubley,  
M'Mullin,  
Raguet,  
Willett.

14.

So it was determined in the affirmative.

Whereupon,

Mr. Breck and Mr. Power were appointed a committee to inform the House of Representatives accordingly.

And after some time,

Mr. Breck reported that the committee had performed the duty assigned to them.

Mr. Leib, on leave given, presented at this time the petition of Henry Hamerick, an old soldier, praying that relief may be granted to him; and the same was read and referred to the committee on claims.

A motion was made by Mr. Davidson and Mr. Grosh,

That the Senate withdraw to the chamber of the House of Representatives for the purpose of proceeding as the law directs, in relation to the petitions contesting the election of Joseph Hiester, governor of this commonwealth; and

On the question,

Will Senate agree so to withdraw?

The yeas and nays were required by Mr. Grosh and Mr. Winter; and are as follow, to wit:

## YEAS.

Messrs. Alter,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Fry,

## YEAS.

Messrs. Grosh,  
Hill,  
Hubley,  
M'Mullin,  
Raguet,  
Willett.

13,

Messrs. Allshouse,  
Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Feger,  
Hurst,  
Leib,  
Markley,

Messrs. M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker,

17.

So it was determined in the negative; and

On motion of Mr. Davidson and Mr. Grosh,

Ordered, That the clerk inform the House of Representatives accordingly.

Adjourned until 11 o'clock to-morrow morning.

## WEDNESDAY, December 20, 1820.

Mr. Breck obtained leave of absence for eight or ten days from the last of this week.

The deputy secretary of the commonwealth being introduced presented a message from the governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

It is proper to inform you that I have this day appointed and commissioned Andrew Gregg, esquire, to be Secretary of the

Commonwealth, during my continuance in office, agreeably to the 15th section of the second article of the constitution.

JOSEPH HIESTER.

*Harrisburg, December 19, 1820.*

Ordered, To lie on the table.

The speaker laid before the Senate a letter from the auditor general, together with the document therein referred to; and the same were read as follows, to wit:

*Auditor General's Office, 20th Dec. 1820.*

SIR,

The enclosed copy of the report of the president and managers of the Harrisburg, Carlisle and Chambersburg turnpike road, is respectfully submitted to the Senate, in conformity with the 46th section of the act of the 24th March, 1817, entitled "An act making appropriations for internal improvement."

Very respectfully, sir,

Your most obedient servant,

GEO. BRYAN.

*Honorable speaker of the }  
Senate of Pennsylvania. }*

*To the honorable the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met.*

The memorial and report of the president and managers of the Harrisburg, Carlisle and Chambersburg turnpike road company, respectfully sheweth, That the company since their last report to the legislature, have closed the road leading from Harrisburg to Chambersburg, and have completed so much of the said road as remained then unfinished, by the greatest exertions on the part of some of the managers, and the application of their individual funds to the payment of contractors; that they have measured the road and find the whole distance to be forty-eight miles and one hundred and fifty-six perches; that the large debt due by the company, and the impracticability in the present embarrassed state of the country, of raising any funds, leave no alternative but an appeal to the liberality of the legislature, and to enable your honorable bodies to judge of the propriety of the present application, the following statement of the pecuniary situation of the company is respectfully submitted.

The whole distance of the road is forty-eight miles one hundred and fifty-six perches.

Stock subscribed by the state	\$ 70,000 00
Stock subscribed by individuals	80,000 00
	<hr/>
	\$ 150,000 00
Expense of the whole road	205,019 36½
	<hr/>
Deficiency (deducting tolls)	\$ 55,019 36½

The tolls which have been received from the road, and which amount to \$ 7,360 89, the president and managers have thought proper, in their crippled state, to apply to the discharge of debts created in making the road; notwithstanding which, they are largely indebted (as appears by above statement) and the different managers of the company and its treasurers are daily applied to, by poor and indigent contractors, for debts, which they find themselves unable to pay in drafts on the treasurers, or by their individual means, owing in a great measure to the advancements made towards finishing the road.

Under these circumstances, the company cannot believe this application to the legislature of Pennsylvania, will be in vain, particularly when they reflect that the interest of the state is largely concerned, not only in the stock held, but so far as the prosperity of the metropolis is involved in the trade of the western country, and the wealth of the interior of the state may be advanced by travelling to and from it. And again, the exertions of the state of New-York, in forwarding their grand canal, and the great progress made in the United States road, which is free of toll, induce us to believe that those who represent the citizens of Pennsylvania, will extend to us the hand of assistance.

**BENJ. REYNOLDS, President.**

**Attest. J. HARTLEY CRAWFORD, Secretary.**

From the tolls which have been received, is to be deducted expense for keeping six gates, and interest due by the company.

Correctly copied,

**GEO. BRYAN, J. G.**

Ordered, To lie on the table.

Mr. M'Mullin presented a petition from the pilots of the port of Philadelphia, praying for the re-enactment of the law, entitled

**"An act to establish a board of wardens for the port of Philadelphia, for the regulation of pilots and pilotage and for other purposes therein mentioned;"** which law will expire by its own limitation on the 13th day of March next; and said petition was read and referred to Mr. M'Mullin, Mr. M'Meens, Mr. Conyngham, Mr. Hubley and Mr. Sawyer.

Mr. Leib presented the petition of George Plice, an old soldier, praying that pecuniary aid may be granted to him, and the same was read and referred to the committee on claims.

Mr. Dickerson from the committee on claims, to whom was referred on the 11th instant, the petition of Philip Schrader, made report; which was read as follows, to wit:

That the petitioner states that he entered the service of the United States in the spring of 1776, for three years, and that he was honorably discharged by general Anthony Wayne, and that he again entered the service and was sent to guard the prisoners then stationed in Maryland, where he continued to discharge that duty until the exchange of prisoners took place; he also states that he is destitute of the means of support: your committee have no proof of the foregoing statement, but the single deposition of a Mr. Henry Moser, who swears that the facts stated in the annexed petition of Philip Schrader, contains the truth and nothing else. Your committee would therefore offer the following resolution:

Resolved, That the petitioner have leave to withdraw his petition and documents.

Ordered, To lie on the table.

The bill, entitled

**"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh and recording the same;"** was read the third time, and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The clerk of the House of Representatives being introduced, presented for concurrence two bills, entitled as follow, viz:

**"An act to vest two tracts of land in Westmoreland county, in trustees, for the uses of the last will of the Rev. Theodore Browers, deceased."**

**"An act authorising the electors in the borough of Milton, in the county of Northumberland, to elect overseers of the poor."**

Said bills were severally read the first time.

On motion of Mr. Markley and Mr. Coleman,

The following resolution was twice read, considered and adopted, to wit:

**Resolved, That the president and directors of the Pennsylvania, Philadelphia and Farmers' and Mechanics' Banks in the city of Philadelphia, be and they are hereby severally requested to exhibit to the Senate, on or before the third Monday in January next, statements in the form of regular accounts current, of their respective banks, as the same respectively stood on the first Monday in November last, and as they shall respectively stand on the first day of January next; designating particularly the amount of their capital stock, notes in circulation, deposits, debts due to other banks, contingent fund, notes and bills discounted; stocks held by them, real estate, notes and debts due by other banks, specie on hand, and also such other information as may enable the legislature to form a correct knowledge of the actual condition of each bank.**

A motion was made by Mr. Conyngham and Mr. Willett, and read as follows, to wit:

**Resolved, That the secretary of the commonwealth be instructed to transmit to the Senate, a list of the justices of the peace, stating the dates of their commissions and the districts to which they were appointed.**

**Ordered, To lie on the table.**

On motion of Mr. Raguet and Mr. Cadwallader,

**The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill, entitled**

**"A supplement to an act, entitled "An act to raise and collect county rates and levies."**

And, after some time,

**The committee rose and reported said bill with one amendment, which was read.**

On motion,

**Said bill was read the second time, considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill, entitled,**

**"An act to regulate proceedings in the action of account render."**

**And after some time,**

**The committee rose and reported said bill with amendments, which were read.**

**The clerk of the House of Representatives being introduced, presented for signature the bill, entitled**

**"An act to change the name of Mary Josephine Sige, to Mary Josephine Soullier."**

**Whereupon,**

**The speaker signed said bill.**

**On motion of Mr. Davidson and Mr. Cadwallader,**

**Ordered, That the door-keeper be authorised to employ one person as an assistant to him, his wages not to exceed one dollar and fifty cents per day.**

**On motion of Mr. Davidson and Mr. Alter,**

**Ordered, That the secretary of the commonwealth be authorised to take John Boden in the place of John Fry, senior, as one of the sureties of H. W. Peterson, printer of the journal of Senate in the German language.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill, entitled**

**"An act relative to the Octorara navigation company:"**

**And after some time,**

**The committee rose and reported said bill without amendment.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Eyster in the chair, on the bill, entitled**



**"An act to erect the town of Montrose, in the county of Susquehanna, into a borough."**

And after some time,

The committee rose and reported said bill with amendments, which were read.

The clerk of the House of Representatives being introduced, presented an extract from the journal of that House, which was read as follows, viz:

*"In the House of Representatives,  
December 20, 1820."*

"Whereas, it has been represented to the legislature, by petition, that neither James Hopkins nor the sheriff of Lancaster county, have complied with the provisions of an act of Assembly, passed the 28th day of March, 1820, requiring of them or either of them to remove a certain obstruction to the navigation of the river Susquehanna, at the Conewago falls.

"Therefore,

**"Resolved, That Messrs. Lawrence, Wilson Smith and Stockman, be a committee, in conjunction with a similar committee of Senate (if Senate should appoint such committee) to proceed to the said Conewago falls, and view whether either of the said parties have complied with the provisions of the said act, and make report of the facts to the legislature, on or before the first Monday of January next; and**

**"Ordered, That the clerk inform Senate of the same."**

On motion,

Said resolution was again read, and the same being under consideration,

A motion was made by Mr. Davidson and Mr. Grosh,

To amend the same by striking therefrom the words "on or before the first Monday of January next," which was agreed to, and the resolution as amended was then agreed to; and

Ordered, That Mr. Grosh, Mr. M'Meens and Mr. Wallace, be a committee for the purpose therein expressed; and that the clerk inform the House of Representatives accordingly.

Adjourned until 11 o'clock to-morrow morning.

**THURSDAY, December 21, 1820.**

Mr. Cochran obtained leave of absence for one week, from Monday next.

Mr. Raguet obtained leave of absence for Mr. Barnard for one week, from this day.

The speaker laid before the Senate a letter from Charles L. Hutter, which was read as follows, to wit:

*Allentown, Pa. December 17, 1820.*

**WILLIAM MARKS, Esq.**

*Speaker of the Senate of the commonwealth of Pennsylvania:*

SIR,

This moment I received a letter from Joseph Fry, esquire, member of Senate, apprising me of the proceedings in your honorable body, relative to the German journals printed by me last year, I humbly request that nothing decisive be done in the business, before I may have an opportunity of shewing to the members, that the delay in the delivery of the German journal, cannot be attributed to any neglect on my part, but solely to casualties beyond my controul. If in my power to do this satisfactorily, I confidently trust, that your honorable body will not let me be the sufferer. Be kind enough to communicate this to the Senate.

Very respectfully,

Your obient servant,

**CHARLES L. HUTTER.**

Ordered, To lie on the table.

Mr. Hurst, presented a petition and documents from William M'Faden, an old soldier, praying that relief may be granted to him; and said petition was read and with the documents referred to the committee on claims.

Mr. Coleman, from the committee to compare bills and present them to the governor for his approbation, made report; which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 20th instant, presented to the governor for his approbation, the bill entitled as follows, to wit:

"An act to change the name of Mary Josephine Sige, to Mary Josephine Soullier."

Ordered, To lie on the table.

Mr. Davidson, from the committee on accounts, made further report, which was read as follows, to wit:

That they have examined the accompt and vouchers of Joseph A. M'Jimsey, clerk of the Senate, relative to the contingent expenses of Senate, since the 28th day of March last, and find a balance due him of \$88 20, over and above the advances made to him since the last settlement: the committee therefore submit to the Senate, the following resolution:

Resolved, That the speaker draw his warrant on the state treasurer, in favor of Joseph A. M'Jimsey, for the sum of eighty-eight dollars and twenty cents, the balance due him as per settlement hereunto annexed.

The following is a statement of the account:

Paid Allison & Co. for sundries,	voucher 1.	\$ 3 72
S. Sprigman, book binding,	2.	1 12½
R. Wright, postage,	3.	9 73
For newspapers prior to this session,	4.	186 95
R. Sloan, cabinet work,	5.	8 65
J. Martin, sundry work,	6.	13 25
F. Zimmerman, glass and glazing,	7.	7 25
For firewood and candles,	8.	141 27
T. Parsons, hauling wood,	9.	8 00
C. Gleim, printing journal,	10.	40 00
S. Young, sawing wood,	11.	12 00
W. White, whitewashing,	12.	9 00
W. Floody, carpenter work,	13.	9 75
J. Mulherran, mason work,	14.	2 00
J. Bailey, smith-work,	15.	4 50
M. Shafner, cleansing chamber,	16.	18 00
Espy & Jacobs, sundries,	17.	47 50
J. Emerson, covering desks, &c.	18.	20 07½
G. Boyd, chairs,	19.	6 00
G. Burnett, chairs,	20.	6 00
J. Peacock, stationary,	21.	13 25

For newspapers this session,	22.	74 05
F. Kelker, sundries;	23.	28 74
J. Wyeth, stationary,	24.	162 82
R. Sloan, cabinet work,	25.	3 62½
J. Bucher & Co. sundries,	26.	49 83½
J. Bond, candles,	27.	80 00
D. Hummel, laying carpeting,	28.	7 00
J. Capp, sundries,	29.	3 56
R. Wright, postage,	30.	100 00
C. Gleim, book-binding,	31.	34 55
Sundry small accounts.	32.	3 00

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\$1,088 20

## CONTRA

## CR.

By warrant dated March 28, 1820,

\$1,000 00

Balance due clerk,

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\$ 88,20

On motion,

Said report was again read, and the resolution thereto attached considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

Mr. Hurst, from the committee to whom was referred on the 16th instant, the petition of James Herrington, on leave given, reported a bill, entitled

“An act to refund to James Herrington, money paid by him to Daniel Perkins, for painting the roof of the Arsenal at Meadville;” which was read the first time.

A motion was made by Mr. Leib and Mr. Winter, and read as follows, to wit:

Resolved, That the Senate and House of Representatives will adjourn on Saturday the 23d, to meet again on Tuesday the 2d of January, 1821, at 11 o'clock in the morning.

On motion,

Said resolution was again read; and

On the question,

Will Senate adopt the same?

The yeas and nays were required by Mr. Hurst and Mr. Smith; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cochran, Coleman, Conyngham,	Messrs. Hubley, Leib, Raguet, Sawyer,
	8.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Cadwallader, Davidson, Dickerson, Eichelberger, Eyster, Fry, Grosh, Hill, Hurst,	Messrs. Markley, M'Meens, M'Mullin, Piper, Power, Smith, Wallace, Willetts, Winter, Marks, Speaker.
	21.

So it was determined in the negative.

A motion was made by Mr. Davidson and Mr. Grosh, and read as follows, to wit:

Resolved, That the speaker draw his warrant on the state treasurer, in favor of Joseph A. M'Jimsey, clerk of the Senate, for the sum of nine hundred dollars, to enable him to pay future contingent expenses of the Senate, he to account for the same in the settlement of his accompt.

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

The bill, entitled

"An act relative to the Octorara navigation company," was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

**The bill, entitled**

**"An act to erect the town of Montrose, in the county of Susquehanna, into a borough;"** was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

**Ordered, That it be transcribed for a third reading.**

**On motion of Mr. Conyngham and Mr. Willett,**

**The resolution read yesterday relative to justices of the peace, was again read, and the same being under consideration,**

**A motion was made by Mr. Raguet and Mr. Hubley,**

**To postpone the further consideration of the same, for the purpose of introducing the following as a substitute, to wit:**

**Resolved, That the secretary of the commonwealth be instructed to communicate to the Senate, a list of the justices of the peace now in commission, together with the time of their appointment, in chronological order, and the names of the counties and districts in which they severally reside; and**

**On the question,**

**Will Senate agree so to postpone?**

**It was determined in the affirmative; and the resolution was then agreed to.**

**The clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follows, viz:**

*"In the House of Representatives,*

*"December 21, 1820.*

**"The committee to whom was referred that part of the late governor's message, relating to the company for erecting a bridge over the Susquehanna river, at or near the town of Columbia, in the county of Lancaster. And also the petition of the late managers of said company, stating that the agent appointed by the governor, has reported to his excellency, charges against them, which they conceive to be injurious to their character, and praying the legislature to appoint a committee to investigate the affairs of said company and their official conduct,**

**"Report—**

**"That having deliberated on the subject, and having no documents before them, nor any data to go by, they consider it impossible for them to investigate the matter as it ought to be, and considering the large interest the state holds in said bridge, they are of opinion, that a full investigation ought to be gone into, and a complete examination of the books and papers of said company should be had, in order that the interest of the state should be properly understood and secured; they also consider the enquiry necessary, on account of the charges made in the report by the agent appointed by the governor, against the conduct of the old managers of said company: They therefore offer the following resolution:**

**"Resolved, That a committee be appointed, who shall, in conjunction with a similar committee from the Senate, (if Senate should appoint such committee) to examine into the affairs of said company, and into the conduct of the late board of managers; and also enquire whether any other provisions are necessary to be made, in order that the interest of the state in the said company may be more effectually secured; and make report of their proceedings to each House, on or before the third Monday in January next.**

**"On motion**

**"Said report was read a second time, and the resolution thereto attached was considered and adopted; and**

**"Ordered, That Messrs. Weaver, Jenks and Connely, be a committee for the purpose therein expressed."**

**On motion of Mr. Davidson and Mr. Markley,**

**Said resolution was again read, considered and adopted; and**

**Ordered, That Mr. Davidson, Mr. Markley and Mr. Dickerson, be a committee for the purpose expressed therein; and that the committee on roads, bridges and inland navigation, be discharged from any further consideration of the subject.**

**On motion of Mr. Dickerson and Mr. Power,**

**The report of the committee on claims, on the petition of Philip Schrader, read yesterday, was again read, considered and adopted.**

**Mr. Raguet, read in his place and presented to the chair, the following protest, to wit:**

The undersigned, members of the Senate of Pennsylvania, feel it a duty imposed upon them by their oaths of office, to *protest* against the passage of a law, entitled "An act reducing the salaries of the Governor and Secretary of the Commonwealth;" and as they conceive the subject to be one which involves an important constitutional question, they are desirous of recording upon the journal, the reasons which have governed them in their vote.

The bill in question, which received the signature of the late governor on the 18th instant, enacts, "that from and after the third Tuesday of the present month, the salary of the governor shall be *four thousand dollars* per annum. This provision, which *reduces* the governor's salary from *two thousand pounds*, the sum heretofore established by law, the undersigned conceive to be in direct violation of the constitution of the state, which declares, that "the governor shall at stated times receive for his services, a compensation which shall be neither *increased* nor *diminished*, during the period for which he shall have been elected." The convention which framed the constitution appears to have been scrupulously cautious in rendering, as far as the principles embraced by that instrument would justify, the three branches of the government wholly independent of each other, in order that the people might be protected against these encroachments of power, and those temptations to corruption, which were imagined to be *possible* under a system, where no such independence existed. In order that *the judiciary* might be wholly free from the influence of the executive and legislative branches, it is declared that "the judges of the supreme court, and the presidents of the courts of common pleas, shall at stated times receive for their services, an adequate compensation to be fixed by law, which shall not be *diminished* during their continuance in office." That the legislative branch of government might enjoy an equal exemption; it is invested with the power of establishing the compensation of its own members, for even should the executive withhold his approbation from a bill, having that for its object, it is entirely competent for two thirds of both Houses to enact a law without his concurrence. In accordance too with the same spirit and in order that the executive might be preserved from the influence of the two houses of the general assembly, the provision which is first above quoted, was introduced.

The undersigned are aware of the arguments advanced by some, that the period during which the constitution intended that the salary of the governor should not be *increased* or *diminished*, does not commence until the third Tuesday in December following his election, because it is therein declared, that "the



governor shall *hold his office* during three years from that day," and that the prohibition does not extend to any act which might be passed between the days of his election and induction into office. Even if this construction of the constitution were valid, so as to authorise the *passage* of the act in question; still the measure is, in the opinion of the undersigned, in contravention of the principle contended for, inasmuch as a *diminution* of the governor's salary would actually take place "during the period" for which he had been elected. This reasoning however, the undersigned believe to be, if not adverse to the *letter*, most clearly hostile to the *spirit* of the constitution; for there is scarcely a conceivable argument which can be adduced against the exercise of the power of encreasing or diminishing a governor's salary *after his inauguration*, which will not apply with equal force to the period *which immediately precedes it*. The framers of the constitution, in the opinion of the undersigned, meant to say, a governor once *elected* and once *known*, shall not be in the power of the members of any *co-existing* legislature, nor shall *they* be subject to his influence. They shall not possess authority to *impair the obligation of the contract* made between him and the people, and consummated on the second Tuesday of October. They shall not have power to menace him with a *reduction* of his salary, neither shall he be able to induce them by a promise of favors, to *encrease* it. The *possibility* of exercising a corrupt influence by one over the other, or of either being liable to be governed by the political or party animosities, which might find their way into the councils of the state, was foreseen and intended to be guarded against by the convention; and although, in our day, no occasion to question the integrity of a governor, or the purity of a legislature may be presented, yet history and experience unite in demanding of us, to be jealous of the people's rights. The enactment of the law in question, ~~has~~ established a precedent. Every future governor is placed in the power of the legislature, which shall be *co-temporaneously elected*. A citizen of moderate estate, if odious to that body, may be compelled to resign from the want of revenue adequate to his support, or, on the other hand, a popular favorite may by the secret and indirect promise of his future patronage, obtain for his services any compensation he may demand.

The undersigned, in the views which they entertain in relation to this subject, feel a satisfaction in knowing, that their opinions are supported by the authority of so distinguished a lawyer as the late governor M'Kean, and especially when they recollect, that *he was a member of the convention which formed the constitution*. That gentleman in his message to the general as-

sembly, delivered on the third of December, 1807, one year before the expiration of his last term of service, uses the following language: "It will not be improper to remind you, that the time must soon arrive, when a successor to the executive office, is to be chosen: and as the governor's compensation cannot be increased nor diminished, during the period for which he shall be elected. I trust you will deem it just to augment the salary of that magistrate, to such an amount as will be at least an equivalent for the depreciation produced, since the present salary was assigned, by the influx of the precious metals, the institution of banks and other obvious causes." If the legislature were desirous at this particular moment, of reducing permanently the salary of the governor, it could have been constitutionally accomplished, by declaring that the operation of the act should commence after the expiration of the term of the present incumbent; and there can scarcely be a doubt, but that the saving which will result to the state from the passage of this premature law, will be more than counterbalanced by the loss of money and time, which will be consumed by future legislatures, in discussing the constitutionality of laws, which will be built upon this as a precedent.

**CONDY RAGUET,**  
**ROBERT M'MULLIN.**  
**SAMUEL BRECK,**  
**CONRAD FEGER,**  
**CYRUS CADWALLADER,**  
**REES HILL,**  
**JACOB ALTER,**  
**SAMUEL COCHRAN,**  
**ROBERT WILLETT,**  
**JOSHUA DICKERSON,**  
**EDWARD COLEMAN.**

*Harrisburg, Dec. 21, 1820.*

Ordered, To lie on the table.

Mr. Breck, read in his place and presented to the chair, the following protest, to wit:

The undersigned, in protesting on constitutional grounds, and grounds of policy, against the passage of the act reducing the salary of the governor, would not have objected to the diminution of that salary, had the law been proposed at a period antecedent to the election. They are far from wishing, in opposition

to the general desire of the people and of their own judgments, to prevent a reasonable reduction in the pay of the chief magistrate: they, on the contrary, wish it to be expressly understood, that in their apprehension, the annual sum of four thousand dollars, at which the law now fixes the compensation of that officer, corresponds with the value of money at this day, and the diminished expense, incident to a residence remote from a large and populous city.

**SAMUEL BRECK,  
JACOB ALTER,  
SAMUEL COCHRAN,  
JOSHUA DICKERSON,  
CYRUS CADWALLADER,  
CONRAD FEGER,  
EDWARD COLEMAN.**

**Ordered, To lie on the table.**

Mr. Hubley, obtained leave of absence for and during the next week.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill, entitled

"An act to incorporate the Apprentices' Library Company of Philadelphia."

And after some time,

The committee rose and reported said bill with amendments which were read.

The clerk of the House of Representatives being introduced, presented for concurrence four bills, entitled as follow:

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned;" passed the 31st March, 1792.

"An act extending an act, entitled "An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the county of Delaware."

"A further supplement to an act, entitled "An act authorizing the governor to incorporate a company for making an ar-

tificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."

"An act for the encouragement of raising sheep, in Fayette county, and for other purposes."

Said bills were severally read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill, entitled

"An act to authorise the vacation of Ninth street, north of Callowhill street, in the district of Spring-Garden."

And after some time,

The committee rose and reported the same without amendment.

Adjourned until 11 o'clock to-morrow morning.

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## FRIDAY, December 22, 1820.

Mr. Grosh, obtained leave of absence for Mr. Coleman, for a few days from Tuesday next.

Mr. Breck, presented two petitions of similar tenor from sundry owners of real estate, in the vicinity of the city of Philadelphia, stating that they have long suffered great inconvenience from the intrusion of gunners and others in pursuit of game, upon their property, and praying that a law may be passed to remedy the evil complained of: and the same were read and referred to Mr. Breck, Mr. Hill and Mr. Piper.

Mr. Eyster, presented a petition from sundry inhabitants of Adams county, stating that William Scott, esquire, one of the

associate judges of the court of common pleas of said county, is now in his eighty-fourth year of age, and unable at all times to attend to the duties of his appointment, but from his reduced circumstances cannot dispense with the small salary arising therefrom. The petitioners therefore pray, that some pecuniary compensation may be granted to the said William Scott, esquire, for services performed by him during the revolutionary war: and said petition was read and referred to the committee on claims.

Mr. Wallace presented a petition and documents from Hardman Philips, Benjamin R. Morgan, and others, praying that a law may be passed to appropriate the sum of eighteen hundred dollars, for the improvement of the road from Wallace's, in Warrior Mark, Huntingdon county, to Philipsburg, in Centre county, and to authorise the governor to draw his warrant upon the state treasurer for said sum, so soon as it shall be certified to him that the petitioners have, in addition to the sums by them already expended, expended the further sum of six hundred dollars for the improvement of said road; and said petition was read and with the documents referred to the committee on roads, bridges and inland navigation.

Mr. Willett, presented a petition from sundry inhabitants of Greenwood township, in Mifflin county, praying that a part of said township may be annexed to the county of Union; and remonstrating against the formation of a new county, to be composed of only four townships, of which Greenwood is one; and said petition was read and referred to Mr. Willett, Mr. Leib and Mr. Alter.

Mr. Leib, presented a petition from the president and directors of the "Pennsylvania Academy of Fine Arts," praying that a law may be passed to authorise them to raise by way of lottery, the sum of twenty thousand dollars, for the promotion of the objects of said institution; and the same was read and referred to the members from the city and county of Philadelphia.

The secretary of the commonwealth being introduced, informed the Senate that the governor had, on the 21st instant, approved and signed the bill, entitled

"An act to change the name of Mary Josephine Sige, to Mary Josephine Soullier."

And had returned it to the House of Representatives, in which it originated.

On motion,

Mr. M'Meens was excused from serving on the committee appointed on the 20th instant, to view certain obstructions to the free navigation of the river Susquehanna, at the Conewago falls; and Mr. Conyngham was appointed in his place.

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Dickerson, from the committee to whom was referred yesterday the petition of William M'Fadden, made report, which was read as follows, to wit:

That the petitioner states that he was drafted to serve in the militia, in the year 1777, and served a tour of duty of three months on the frontiers of this state, and that he performed duty the following summer; in a scout against the Indians, he lost a mare; and that in the summer of 1778, he enlisted and served for six months in colonel Thomas Hartley's regiment, stationed on the frontier.

Your committee do not doubt the services rendered by the petitioner, as stated in his petition, except as to his enlistment for the term of six months, no troops having been raised to serve on the frontier for that period, but they are led to believe that the services rendered, were in the militia, for which he must have received his full pay, no demand being made by him for arrearage of pay, and that in no instance within the recollection of your committee, has any militia-man been placed on the pension list or received a gratuity. They therefore offer the following resolution:

Resolved, That the prayer of the petitioner be dismissed.

Ordered, To lie on the table.

Mr. Dickerson, from the committee to whom was referred on the 19th instant, the petition of Henry Hamerick, made report, which was read as follows, to wit:

That the petitioner states he served in the revolutionary war, for upwards of four years, in the Pennsylvania line; and that he was wounded, that he is old and poor. His services are proven by a certificate of the surgeon of the regiment to which he belonged, Peter Peres; but there is no proof before your committee, but the petitioner's own statement, of his having received a wound or of his poverty; and if all the facts as stated in his petition

had been satisfactorily proven, your committee would be of the opinion, that in all cases where a pension is drawn, either from this state or the United States, no further provision should be made, and by a reference to the pension list of the United States, we find the petitioner's name thereon; your committee would therefore offer the following resolution:

**Resolved,** That the petitioner have leave to withdraw his petition and documents.

**On motion,**

Said report was again read, and the resolution thereto attached, considered and adopted.

**The bill, entitled**

"An act relative to the Octorara navigation company;" was read the third time, and

**Resolved,** That it pass.

**The bill, entitled**

"An act to erect the town of Montrose, in the county of Susquehanna, into a borough;" was read the third time, and

**Resolved,** That it pass.

**Ordered,** That the clerk present said bills to the House of Representatives for concurrence.

**The bill, entitled**

"An act to incorporate the Apprentices' Library company of Philadelphia;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

**Ordered,** That it be transcribed for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence the bill, entitled

"An act to extend the charter of the Philadelphia bank;" which was read the first time.

**He returned the bill, entitled**

"A supplement to an act entitled 'An act, to raise and collect county rates and levies.'"

And informed, That the House of Representatives have passed said bill without amendment.

He also informed, that the House of Representatives have substituted Mr. Mann in the place of Mr. Jenks, on the committee to investigate the concerns of the Columbia bridge company.

A motion was made by Mr. Davidson and Mr. Grosh, and read as follows, to wit:

Resolved, That the speaker draw his warrant on the state treasurer, in favor of William F. Buyers, the printer of the journal of the Senate in the English language, for four hundred dollars; he to account for the same in the settlement of his account.

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

A motion was made by Mr. Raguet and Mr. Grosh, and read as follows, to wit:

Whereas, The charter of a number of the banks incorporated by this commonwealth, will expire in the years 1824 and 1825, in anticipation of which, one application for renewal has already been made, and others may soon be looked for. And whereas it is important that the views of the legislature, upon so momentous a subject, should be made known to the public:

Therefore,

Be it resolved, That a committee be appointed to enquire into the expediency of renewing any or all of the charters of the banks incorporated by law, as they shall severally expire; and that they be instructed to suggest such amendments, as may, in their opinion, be calculated to promote the public good, if introduced into all such charters as it may hereafter be deemed advisable to renew.

On motion,

Said resolution was again read; and

The same being under consideration,

A motion was made by Mr. Davidson and Mr. Markley.



To postpone the further consideration of  
sent, which was agreed to.

On motion of Mr. Leib and Mr. Markley

The resolution read on the 13th instant,  
the seats of Mr. Markley and Mr. Barnard;  
the same having been considered:

On the question,

Will the Senate adopt the same?

The yeas and nays were required by  
Davidson; and are as follow, to wit:

YEAS.	YEAS.
Mr. Leib,	Mr. M <sup>r</sup>
NAYS.	NAY
Messrs. Allshouse,	Messrs. Hob
After,	Hur
Breck,	M <sup>r</sup>
Cadwallader,	Pipe
Conyngham,	Pow
Davidson,	Rag
Dickerson,	Saw
Eichelberger,	Smir
Eyster,	Wal
Feger,	Wil
Fry,	Wie
Grosh,	Mar
Hill,	

So it was determined in the negative.

The clerk of the House of Representative  
presented an extract from the journal of that  
read as follows, viz:

*"In the House of Rep  
De*

"On motion,

"The amendment by Senate, to the resoluti  
thin obstructions to the navigation of the S

at the Conewago falls; was read a second time, considered and concurred in; and

“Ordered, That the clerk inform Senate of the same.”

Adjourned until 11 o'clock to-morrow morning.



## SATURDAY, December 28, 1820.

Mr. Winter, from the committee for comparing bills and presenting them to the governor for his approbation, made report; which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 22d instant, presented to the governor for his approbation, the bill entitled as follows, to wit:

“A supplement to an act entitled “An act to raise and collect county rates and levies.”

Ordered, To lie on the table.

The bill, entitled

“An act to incorporate the Apprentices’ Library company of Philadelphia;” was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

On motion of Mr. Davidson and Mr. Cadwallader,

The following resolution was twice read, considered and adopted, to wit;



Resolved, That the speaker draw his warrant on the state treasurer, in favor of H. W. Peterson, the printer of the journal of the Senate in the German language, for two hundred dollars, he to account for the same in the settlement of his account.

Whereupon,

A warrant was accordingly so drawn.

The secretary of the commonwealth being introduced, presented a message from the governor; which was read as follows to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed an act of the general assembly, entitled

"A supplement to an act, entitled 'An act to raise and collect county rates and levies.'"

And have directed the secretary to return the same to the Senate, where it originated.

JOSEPH HIESTER.

*Harrisburg, December 23, 1820.*

Ordered, To lie on the table,

On motion of Mr. Leib and Mr. Allshouse,

The Senate adjourned until 11 o'clock on Wednesday next

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## WEDNESDAY, December 27, 1820.

A number of members met; but there not being a quorum present,

Adjourned until 11 o'clock to-morrow morning.

THURSDAY, December 28, 1820.

Mr. Hurst, presented a petition from Hervey Jones, praying that a law may be passed to confirm his title to a certain lot of ground in the town of Warren: and the same was read and referred to Mr. Hurst, Mr. Hill and Mr. Cadwallader.

The speaker laid before the Senate a letter and document from James Herrington; which were read as follows, to wit:

*Meadville, December 18, 1820.*

SIR,

I herewith transmit a statement of the property belonging to the commonwealth, and now deposited in the Arsenal at Meadville, which I submit in obedience to the act entitled, "An act for the erection of two Arsenals," passed 15th March, 1816.

JAMES HERRINGTON, *Armorer*

*and keeper of the Arsenal at Meadville.*

*William Marks Jun. Esq. }  
Speaker of the Senate. }*

*Report of Ordinance, Arms and Military Stores in the State  
Arsenal, at Meadville.*

FIELD ARTILLERY.

Brass four pounders, carriages and equipments, not complete,	4
Iron six pounders mounted, and equipments complete,	4
Travelling carriage for ordinance, and equipments complete,	1

MUSKETS.

Fit for service,	3,358
Unfit for service, wanting cleaning, &c.	537
Do. repairs, bayonets, &c. wanting,	138
Condemned and not worth repairing,	50

## MILITARY STORES AND EQUIPMENTS.

Cartridge boxes with belts,	220
Do. without belts,	35
Bayonet scabbards and belts,	6
Flints,	1,302
Camp-kettles of sheet iron,	179
Do. of tin,	78
Dishes of tin,	76
Axes fit for service,	\$10
Do. not fit for service,	170
Broad Axe fit for use,	1
Drums wanting repairs,	14
Tents, old and not fit for use,	3
Rough musket stocks, hewed out,	190
Kegs of musket cartridges, damaged,	7
Box of do. do.	1
Four pound ball and grape shot—about 1400 pounds.	
Lead, in pigs, about	1000
Musket ball and buck shot, about	150

## DELIVERED OUT OF THE ARSENAL BY ORDERS OF THE GOVERNOR.

One brass four pounder, with implements,  
 One iron six pounder, with implements.

*JAMES HERRINGTON*, Armorer,  
 and keeper of the Arsenal, at Meadville.

Ordered, To lie on the table.

A motion was made by Mr. Conyngham and Mr. Hurst, and read as follows, to wit:

Resolved, By the Senate and House of Representatives of the commonwealth of Pennsylvania in general assembly met, That the governor, attorney general, Samuel Sitgreaves, of Northampton county, John Tod, of Bedford county, and Charles Smith, of Lancaster county, esquires, be and they are hereby constituted a board, to revise the judiciary system of this commonwealth; and that they meet at the seat of government in the month of August next, or at such time as may be agreed on by a majority of them, to prepare during the recess of the legislature and report to the next session, with all necessary detail, a complete judiciary system, comprising the organization of courts, the regulation of practice, the duties of judicial and ministerial officers of the court, the lien and effect of judgments and executions, and all other matters incident to the administration of justice.

**Resolved,** That the governor be and he is hereby requested to communicate a copy of the foregoing resolution to each of the gentlemen named; and in case any of them should depart this life, or refuse to serve, then and in either such case, he is hereby authorised and requested to appoint some other distinguished legal character to supply the vacancy or vacancies occasioned by such death or refusal.

**Ordered,** To lie on the table.

**On motion of Mr. Hill and Mr. M'Meens,**

The resolution read on the 12th instant, relative to appointments to office by the governor, were again read.

The first resolution was considered and adopted; and

**Ordered,** That Mr. Hill, Mr. Raguet and Mr. Eichelberger, be a committee for the purpose therein expressed.

The second resolution was considered and adopted, after being amended by striking therefrom the word "governor."

A motion was made by Mr. Hill and Mr. M'Meens, and read as follows, to wit:

**Resolved,** By the Senate and House of Representatives in general assembly met, That the commissioners appointed by an act entitled "A supplement to an act providing for the erection of a state capitol," passed on the twenty-seventh day of January, one thousand eight hundred and nineteen, be, and they are hereby authorised and required, to have a convenient apartment in the state capitol, finished in a suitable manner for an executive office, and the said apartment is hereby appropriated to the use of the governor, for the time being, as an office in which to transact so much of his official duties as the public convenience and the convenience of the legislature shall require.

**Ordered,** To lie on the table.

A motion was made by Mr. Smith and Mr. Allshouse, and read as follows, to wits

**Whereas,** by the act to provide for the better preservation and increase of the library of this commonwealth, the sum of six hundred dollars is annually appropriated, which sum, after deducting all the incidental expenses, shall be expended by the library committee in the purchase of books and maps for the library.

And when  
rer, that the  
treasury by  
of March, 1  
committee h  
the money so

Therefore  
Resolved, T  
atement of th  
has been paid to  
the purchase of b  
what sum remain  
committee.

Ordered, To lie

A motion was made  
as follows, to wit:

Resolved, That the  
Senate, a statement of  
urer, and the managers  
counts the auditor general  
of the legislature, passed  
formation as he may be i

On motion,  
Said resolution was again

On motion of Mr. Conyn  
Ordered, That the govern  
to a committee, and that Mr  
M'Mullin be the committee.

On motion of Mr. Hurst and  
The Senate resolved itself into  
Grosh in the chair, on the bill, e  
"An act to refund to James Her  
Daniel Perkins, for painting the n  
ville."

And, after some time,  
The committee rose and reported  
ment.  
Adjourned until 11 o'clock to-morrow

**FRIDAY, December 29, 1820.**

Mr. Davidson obtained leave of absence for Mr. Markley until Tuesday next.

Mr. Fry presented a petition from sundry inhabitants of this Commonwealth, praying that a law may be passed to provide for the reduction of fees and salaries allowed to public officers; and the same was read and referred to the committee on the Judiciary System.

Mr. Eyster, from the committee to whom was referred on the 7th inst. the petition of John Erb, on leave given, reported a bill, entitled

“An act to annul the marriage of John Erb and Catharine his wife,” which was read the first time.

The bill, entitled

“An act to refund to James Herrington money paid by him to Daniel Perkins, for painting the roof of the arsenal at Meadville,” was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to, and

Ordered, That it be transcribed for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence the bill entitled

“An act for the more convenient education of the poor gratis, within and near the city of Pittsburg and the borough of Harrisburg,” which was read the first time.

On motion of Mr. Davidson and Mr. Grosh,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill from the House of Representatives, entitled “An act for the encouragement of raising sheep in Fayette county, and for other purposes;”

And after some time,

The committee rose and reported said bill without amendment.

Adjourned until 11 o'clock to-morrow morning.



**SATURDAY, December 30, 1820.**

Mr. Eichelberger obtained leave of absence for a few days, from Monday next.

Mr. Dickerson presented a petition from the trustees of Jefferson college, praying that pecuniary aid may be granted to said seminary: and the same was read and referred to Mr. Dickerson, Mr. Smith and Mr. Eyster.

Mr. Hill presented a petition and documents from Jane Allen, praying to be divorced from the bonds of matrimony: and the said petition was read, and with the documents referred to Mr. Hill, Mr. Winter and Mr. M'Mullin.

Mr. M'Mullin, from the committee to whom was referred on the 20th instant, a petition from the pilots of the port of Philadelphia, on leave given, reported a bill, entitled

"An act to continue in force, a supplement to the act entitled "An act to establish a board of wardens for the port of Philadelphia, for the regulation of pilots and pilotages, and for other purposes therein mentioned:" which was read the first time.

The bill, entitled

"An act to refund to James Herrington, money paid by him to Daniel Perkins, for painting the roof of the arsenal at Meadville;" was read the third time, and

Resolved, That it pass,

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act for the encouragement of raising sheep in Fayette county, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Davidson and Mr. Eichelberger,

To amend said section, by striking therefrom all that follows the enacting clause, and by inserting in lieu thereof, the follow-

ing, to wit: "That when the commissioners of the county of Fayette, shall have ascertained the number of dogs, agreeably to the act to which this is a supplement, they shall levy and cause to be collected, for the first dog twelve and a half cents, for the second thirty-seven and an half cents, for the third sixty-two and an half cents, and for every additional dog one dollar; and if any suspicion shall exist on the mind of the assessor, that an untrue return of dogs has been made, by any person or persons making a return, he is hereby authorised and required to administer an oath or affirmation to such person or persons, as to the truth of said return; and any person refusing under such circumstances, to state on oath or affirmation, the number of the dogs owned or possessed by any person or persons, and kept about his or her house, shall be liable to pay double tax; and any person seeing the dogs of such person running at large, may lawfully kill them. Provided, That the townships of Saltlick and Wharton, in the county of Fayette, be and the same are hereby excepted from the provisions of this act and the act to which this is a supplement."

And said amendment being under consideration,

A motion was made by Mr. Smith and Mr. M'Meens,

To amend the same by striking therefrom all that follows the words "one dollar," down to the word "provided," which was agreed to, and

On the question,

Will Senate agree so to amend said section?

It was agreed to, and the section as amended was agreed to.

Section two and the subsequent sections were severally considered and disagreed to.

A motion was then made by Mr. Davidson and Mr. Eichelberger,

To add a new section in the words following, to wit:

"Section 2. And be it further enacted by the authority aforesaid, That so much of the act to which this is a supplement, as is hereby altered and supplied, be and the same is hereby repealed;" which was agreed to.

The title was agreed to after being amended to read "A supplement to the act entitled "An act laying a tax on dogs, in the counties of Washington and Fayette, and for other purposes."

Ordered, That said bill be prepared for a third reading

The clerk of the House of Representatives being introduced, presented for concurrence two bills, entitled as follow, viz:

"An act authorising Jacob Beer, to execute a certain deed of conveyance therein mentioned."

"An act to annul the marriage of John Yerington and Elisabeth his wife."

He returned two bills entitled as follow, viz:

"An act to annul the marriage of George Reid and Elizabeth his wife:"

"An act to provide for the enumeration of the taxable inhabitants, and slaves within this commonwealth."

And informed that the House of Representatives have passed said bills without amendment.

The bills presented for concurrence were severally read the first time.

A motion was made by Mr. Conyngham and Mr. Wallace, and read as follows, to wit:

Resolved, That a committee be appointed to enquire into the expediency of providing by law, for the appointment of a State Reporter, whose duty shall be, to attend the judges of the supreme court, at their several courts in bank, and publish a correct report of their decisions.

Ordered, To lie on the table.

On motion of Mr. Allshouse and Mr. Davidson,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill from the House of Representatives, entitled

"An act to vest two tracts of land in Westmoreland county, in trustees, for the uses of the last will of the Rev. Theodore Brower, deceased."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Leib and Mr. Grosh,

The Senate adjourned until 11 o'clock on Tuesday next.

**TUESDAY, January 2, 1821.**

Mr. M'Mullin, presented a petition and documents from John Barnard, praying to be compensated for a tract of donation land, to which he became entitled in consequence of services during the revolutionary war, and which he never received: and said petition was read, and with the documents referred to the committee on claims.

Mr. M'Meens, presented two petitions of similar tenor, from sundry inhabitants of the counties of Potter and M'Kean, praying that the inhabitants of the county of Potter, may be authorised by law to elect their own commissioners and auditors, separate and apart from the county of M'Kean: and said petitions was read and referred to Mr. M'Meens, Mr. Wallace and Mr. Hubley.

Mr. Raguet, presented a petition from the Ridge turnpike company, praying that pecuniary aid may be granted to said company: and the same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Hubley, presented a petition from sundry inhabitants of West Penn township, in the county of Schuylkill, praying that the place of holding their general elections may be removed to the house now occupied by Jacob Hapes, in said township: and said petition was read and laid on the table.

Mr. Hubley also presented a remonstrance from sundry inhabitants of West Penn township, in the county of Schuylkill, remonstrating against the prayer contained in the preceding petition: and the same was read and laid on the table.

Mr. Hurst, presented a petition from sundry inhabitants of the township of Fallowfield, in the county of Crawford, praying that said township may be erected into a separate election district: and the same was read and laid on the table.

Mr. Hubley, presented a remonstrance from sundry inhabitants of Schuylkill county, against the passage of a law to restrict the jurisdiction of justices of the peace, to the district for

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which they were commissioned: and the same was read and laid on the table.

Mr. M'Meens, presented a petition from the commissioners of the counties of M'Kean and Potter, stating, that through inadvertency, but one auditor has been elected in said counties for each year, during the years 1817, 18 and 19, and praying that a law may be passed to legalise the proceedings of said auditors, and to place the inhabitants of said counties, upon the same footing, so far as respects the election of auditors, with the other counties of the state: and said petition was read and referred to Mr. M'Meens, Mr. Power and Mr. Smith.

Mr. M'Meens also presented a petition from sundry inhabitants of the counties of M'Kean and Potter, stating that they labor under great inconveniencies and difficulties, occasioned by obstructions placed in the navigable streams runing out of said counties into the state of New-York, by some of the inhabitants of that state, and praying that measures may be adopted by the legislature to remedy the same: and said petition was read and referred to the committee on roads, bridges and inland navigation.

The speaker laid before the Senate a letter from the secretary of the commonwealth, submitting a list of justices of the peace, in compliance with a resolution of the Senate, of the 21st of last month; which was read.

Whereupon,

A motion was made by Mr. Conyngham and Mr. Raguet,

To refer said letter and list to a committee; which was not agreed to.

A motion was then made by Mr. Davidson and Mr. Cadwalader,

That five hundred copies of said list be printed for the use of the members; which was not agreed to.

Ordered, That said letter and list, lie on the table.

The speaker also laid before the Senate a letter from the secretary of the commonwealth, informing that he has this day laid before the House of Representatives, sundry depositions, interrogatories and cross examinations, taken in the case of William Tate, esquire, a justice of the peace of Clearfield county, before

Charles Huston, esquire, president judge of the fourth judicial district: and the same was read and laid on the table:

The speaker laid before the Senate a letter from the auditor general, together with the documents therein referred to; which was read as follows, to wit:—

*Auditor General's Office, 1st Jan. 1821.*

SIR,

The enclosed copy of the report of the president and managers of the Belmont and Easton turnpike road—also, the report of the president of the Milford and Owego turnpike road—and the report of the president of the Schuylkill navigation company, are respectfully submitted to the Senate, in conformity with the 46th section of the act of the 24th March, 1817, entitled “An act making appropriations for internal improvement.”

Very respectfully, sir,

Your most obedient servant,

GEO. BRYAN.

*Honorable speaker of the }  
Senate of Pennsylvania. }*

*To George Bryan, esquire, Auditor General of the commonwealth of Pennsylvania.*

The president and managers of the Belmont and Easton turnpike road, in obedience to the requirements of the 46th section of the act passed 24th March, 1817, entitled “An act making appropriations to certain internal improvements:”

*Respectfully Report—*

That the whole amount of direct original subscriptions to the stock of the road, is thirty-five thousand two hundred and sixteen dollars,	\$ 35,216 00
The amount of unsold stock disposed of to contractors of the road, is two thousand two hundred and fifty-eight dollars and eighty-three cents,	2,258 83
The amount unsold stock taken up by the managers and other officers of the corporation, towards compensation for their services to the present time, is one thousand four hundred and fifteen dollars and twenty-seven cents,	1,415 27
Amounting to thirty-eight thousand eight hundred and ninety dollars and ten cents.	<hr/> \$38,890 10

To which, add the amount of the appropriation by the legislature, ten thousand dollars, 10,000 00  
 And it gives the whole amount of the capital stock of the corporation, forty-eight thousand eight hundred and ninety dollars ten cents.  
 \$48,890 10

That they have procured the construction of thirty miles and fifty-eight perches of the road, in regular connexion, commencing at Belmont, for the sum of twenty-nine thousand one hundred and seventy-nine dollars and seventy-eight cents, 29,179 78

*Payable as follows, viz:*

By credit to original subscriptions of stock, eighteen thousand three hundred eighty-seven dollars fifty-nine cents, \$18,887 59  
 By unsold stock, two thousand two hundred and thirty-three dollars and eighty-three cents, 2,233 83  
 And part of the appropriation by the legislature, eight thousand five hundred and fifty-eight dollars and thirty-six cents, 8,558 36  
 \$29,179 78

That they have disposed of the construction of other parts of the road, amounting to eight miles and fifty-three rods of distance, for a sum of seven thousand four hundred and sixty-one dollars, 7,461 00  
 Payable by Cr. to original subscriptions, seven thousand four hundred and thirty-six dollars, \$7,436 00  
 And in unsold stock, twenty-five dollars, 25 00  
 7,461 00

That the whole length of the route of the road is about sixty-two miles, 62 miles.  
 The part which is finished as above, is thirty miles fifty-eight rods, 30 m. 58 rods.  
 The other parts disposed of, is eight miles fifty-three rods, 8 m. 53 rods.  
 Amounting to thirty-eight miles one hundred and eleven rods, 38 m. 111 rods.  
 And leaving undisposed of, a distance of

twenty-three miles two hundred nine rods,

23 m. 209 rods.

62 miles.

That of the parts, the road composing the aforesaid distance of eight miles fifty-three rods, upwards of two miles are reported as finished.

About two miles and three quarters, more than half constructed, and several other parts commenced.

That the contingent expenses of the corporation, in obtaining subscriptions, exploring, surveying and fixing the route of the road, making calculations and contracts for construction of the road and superintending the construction of the road, and superintending the construction, together with the services of all the corporate officers, and all other contingent and incidental expenses which have been liquidated, amount to the sum of three thousand six hundred and sixty-eight dollars and seventy-one cents,

3,668 71

Making a total amount of disbursements and appropriations, the sum of forty thousand three hundred and nine dollars and forty-nine cents,

40,309 49

And leaving unappropriated of their capital stock, the sum of eight thousand five hundred and eighty dollars and sixty-one cents.

8,580 61

48,890 10

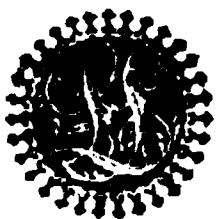
But as some of the subscribers have become insolvent and others have left the state, or become reduced to limited circumstances, by the pressure of the times, the president and managers cannot, from the above unappropriated balance, safely calculate upon realising more than six thousand dollars; they however confidently expect, that they may dispose of some unsold stock in aid of the construction of the residue of the road.

The president and managers further report, That the whole amount of cash which has been received in their treasury since their incorporation, including the receipts by the commissioners for obtaining subscriptions, has been but nine hundred and forty-five dollars and fourteen cents, and that the whole thereof has been disbursed in payment of necessary cash expenditures; and that the president and managers for their ordinary services,



receive one half part of their compensation in the unsold stock of the company at it's par value, and by a resolution of their board, which has been continued from year to year, they engage not to receive for or on account of the other half part of their compensation, any part of the monies which have been or hereafter shall be appropriated by the legislature, in aid of the funds of the corporation, until the construction of the whole road shall be provided for.

And further report and certify, That neither the president and managers, or any other officers of the corporation, or any persons whomsoever in the service of the corporation, have respectively, at any time since the first day of May, 1817, nor previous to that time, received payment or credit upon the books of the corporation, for more than two dollars per day, for the time actually spent in the corporate service.



CERTIFIED by order of the president and managers, by affixing hereunto the seal of their corporation, the seventh day of December, eighteen hundred and twenty.

JASON TORREY, *Treasurer.*

Correctly copied,

GEO. BRYAN, *A. G.*

*Silver Lake, December 11th, 1820.*

SIR,

The following is, according to the report of the inspector, the situation of the work, debts, credits and expenses, of the Milford and Owego turnpike road company.

On the east end, twenty-one miles finished.

On the west end, twenty-six miles finished.

Considerable work done on twenty-two miles more.

Subscription by the commonwealth,	\$ 15,000 00
Other subscriptions (partly in land stock)	62,250 00
	<hr/>
	77,250 00
Estimated cost of road, including bridges,	117,000 00
	<hr/>
Deficiency,	39,750 00

Deficiency, thirty-nine thousand seven hundred and fifty dollars.

I am, sir,

Very respectfully,

Your obedient servant,

R. H. ROSE,

*President, Manager and Overseer*

*Turnpike road Company.*

Correctly copied,

GEO. BRYAN, J. G.

The president, managers and company of the Schuylkill Navigation Company, in their statement of December 21, 1819, transmitted to the auditor general, in compliance with the act of 24th March, 1817, exhibited the progress of the works, with a detailed statement of the finances, and representing five dams and eight locks in the upper section as being complete.

In addition to which there has since been completed on the lower section :

1. The improvement of Matson's Ford, consisting of a dam, canal and three locks.
2. At Norristown, a dam, canal and three locks.
3. At Pawling's bridge, a dam and two locks.
4. At Lewis's Fall, two dams and three locks.

*And on the Upper Section :*

1. At Kern's mill, near Hamburg, a dam, canal and three locks.
2. At the Blue Mountain, a dam and five locks.
3. At Rishel's, two dams, two canals and seven locks.
4. At Peters', a dam, canal and three locks.
5. At Sigfrid's, a dam, canal and two locks.
6. At Reed's, three dams, three canals and six locks.
7. At Schuylkill Haven, a dam, canal and four locks.
8. At Dreibelbis's, a dam, canal and eight locks.

All these locks have been viewed by commissioners appointed by the governor.

In addition to the above, one other dam and lock, at Catfish Island, is nearly completed.

There is one lock near Lewis's Falls, below Reading, not yet finished. On the upper section, on Evans' and Bell's land, there are connected with dam No. 9, five locks and about one mile of canal and tunneling, part of which is finished, and the remainder is under contract to be completed by Spring.

The whole of these improvements, including those in the former report, overcoming a fall of about three hundred and forty feet, and if connected together, would furnish a navigation of about fifty-four miles in extent.

Annexed is also a statement of the accounts of the company to the first instant.

All which is respectfully submitted.

*By order of the Board of Managers.*

Philadelphia, December 25, 1820.

CADWALLADER EVANS, Jun.  
President.

ATTEST.

THOMAS HARPER, Treasurer  
and Secretary.

Correctly copied,

GEO. BRYAN, A. G.

*Statement of the funds of the Schuylkill Navigation  
Company.*

Amount of cash on hand, as per report of 21st December, 1819,	28,762 90
Amount received since then from stockholders on account of their subscriptions,	111,343 29
Amount of house-rent received since then,	25 00
Amount of water-rent received since then,	300 00
Amount of interest received from defaulting stockholders since then,	242 96
Amount of tolls received since then,	803 07
	<hr/>
	\$121,477 22

Amount paid since last report for land,	2435 56
Amount paid for damages occasioned by erect- ing dams, canals, &c. since last report,	1,015 43
Amount paid on account of improvements on the river Schuylkill, including salaries to	

the treasurer, superintendants and lock-keepers, office-rent, travelling expenses of the members of the board on business of the company, and other incidental expenses, 111,539 06

No member of the board receives any compensation for services.

Amount of cash on hand, 8,487 20

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8121,477 22

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*Philadelphia, December 1, 1820.*

Ordered, To lie on the table.

The speaker also laid before the Senate a letter from the auditor general, together with the documents therein referred to, which were read as follows, to wit:

*Auditor General's Office, 1st Jan. 1821.*

SIR,

In pursuance of the act of the 27th March, 1820, entitled "An act to authorise the auditor general to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery," I called upon Mr. Beatty, the treasurer of the said lottery, to exhibit to me all the books and papers in relation thereto, which appertained to his office, as well as all such of the managers' accounts as he was in possession of.—Mr. Beatty very promptly attended to my requisitions.

I have examined the books and papers that Mr. Beatty furnished, and respectfully submit to the honorable the Senate, with the enclosed statement, the following observations:

It will be seen by the law that my powers do not embrace the commissioners appointed to improve the river Susquehanna, to whom monies had been advanced.

In the books furnished me by Mr. Beatty, which have been very correctly and neatly kept, the accounts of the managers are all closed. It appears, however, that in order to do this they have been credited with the notes or obligations of the persons entrusted with the sale of the tickets; as well as the notes or obligations of persons to whom they had sold tickets.

The minutes of the proceedings of the managers show that very great difficulties attended the sale of tickets; and that it became necessary, in the opinion of the managers, to employ agents, and to use many other means of effecting a sale of the tickets.

Measures have been taken, as it appears by the representations of Mr. Beatty, to collect the amount due on these notes, and an expectation is entertained by that gentleman that, of the amount outstanding, the sum of fifteen hundred dollars may be recovered.

I conceive that the strict letter of the law would hold the managers responsible for the acts of their agents in the sale of tickets, and I shall proceed further in my examination of the situation of the outstandings, and act thereon as my duty shall require.

I respectfully submit the enclosed statement and the foregoing observations, in pursuance of the resolution of the Senate, of the 28th of last month.

I am, sir,

Very respectfully,

Your most obedient servant,

GEO. BRYAN.

*Honorable Speaker of the Senate }  
of Pennsylvania.*

*Statement, shewing a general view of the accounts of the Susquehanna Lottery.*

The scheme at first adopted, contemplated the sale of 16,000 tickets, at 10 dollars per ticket, five of which payable on the delivery of the ticket, and the remainder on the completion of the drawing, subject to a deduction of fifteen per cent—there were no blanks—the lowest prize was six dollars.

The drawing commenced 15th July, 1806. and continued by adjournments, from time to time, till 30th April, 1807, when it was determined by the managers to raise the tickets to six dollars (on delivery); the drawing continued by adjournments until the 25th March, 1808, from which time they continued to draw, until there remained only 300 tickets in the wheel; tickets then were fixed at 10 dollars on delivery; the drawing was re-commenced, and finished on the 16th October, 1810.

7699 Tickets, sold at 5 dollars each,	\$38,495 00
55½ Do. sold at 6 dollars each,	333 00
Interest received,	956 44
	<hr/> \$39,784 44

Of the above sum, it appears that there have been paid by the treasurer, Mr. Beatty, as follows, viz.

**Prizes,** **\$14,076 80**  
**Commissioners for improving the river**  
**Susquehanna and certain of its bran-**  
**ches, viz.**

Samuel Miller,	\$ 250 00
Isaac M'Kinney,	700 00
Robert Provine,	800 00
George Crane,	600 00
Intriken & H. Shoup,	500 00
Abraham M'Kinney	1,087 50
Simon Harrold,	1,087 50
John Norton,	1,100 00
Christian Spayd,	1,100 00
John Gillespie,	800 00
John Bratton,	500 00
H. Haldeman & Sam'l. Miller,	3,450 00
William North,	750 00
Peter Morgaret,	250 00

12,975 00

<b>Managers and treasurers ser-</b>	
<b>vices and expenses,</b>	4,761 61½
Commission on tickets sold,	648 42
Printing,	532 74
Clerk hire while drawing lot-	
tery & numbering tickets,	394 50
Attorney & prothonotary fees,	281 45
Miscellaneous, books, station-	
ary, room rent, &c.	207 28½

6,821 01

**Deduct error over credi-**  
**ted commission,** **\$ 5 00**

**Do. over payment to**  
**one of the clerks,** **30 00**

35 00

6,786 01

**Allowances in the settlement of the ac-**  
**counts of some of the managers, for pri-**  
**zes, as appears by the books,**

648 84

**Do. allowed from other accounts,**

102 55

**Allowed Wm. Ferres, one of the mana-**  
**gers on account of loss sustained by him,**

100 00

**Allowed Samuel Miller, one of the agents**  
**for the sale of tickets, on an award of**  
**arbitrators,**

245 00

**Outstanding, being tickets in the hands of**

agents, not accounted for,	2,528 54
Cash in the hands of the treasurer, Mr. Beatty, 10th November, 1820,	2,325 36
	<hr/> 39,787 60
Balance, being a difference yet unexplained,	3 16

Ordered, To lie on the table.

The bill from the House of Representatives, entitled  
 "An act for the encouragement of raising sheep, in Fayette county, and for other purposes;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Conyngham and Mr. Cadwallader,

The following resolution was twice read, considered and adopted, to wit:

Resolved, That the secretary of this commonwealth, be and he is hereby instructed, to lay before the Senate, a full statement of escheats, from the returns filed in his office.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Habley in the chair, on the bill, entitled

"An act to annul the marriage of John Erb and Catharine his wife."

And after some time;

The committee rose and reported said bill without amendment.

The clerk of the House of Representatives being introduced, presented for concurrence six bills, entitled as follow, viz.

"An act exempting William Laird, of Mifflin county, from the payment of tavern licence."

"An act to erect the town of Berlin, in Somerset county, into a borough."

"A supplement to an act entitled "An act to provide for the erection of a house for the employment and support of the poor,

in the county of Franklin;" passed the 11th day of March, A. D. 1807.

"A supplement to an act entitled "An act authorising the governor to incorporate the president, managers and company of the Connemaugh bridge company."

"An act authorising the secretary of the commonwealth, to purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania."

"An act granting a review of part of the state road, from Butler to Franklin."

Said bills were severally read the first time.

Adjourned until 11 o'clock to-morrow morning.



### WEDNESDAY, January 3, 1821.

On motion of Mr. Leib and Mr. Raguet,

Ordered, That the clerk do not cause to be printed upon the journal of the Senate the list of justices of the peace, submitted by the secretary of the commonwealth yesterday.

Mr. Willett, presented a petition from sundry inhabitants of this Commonwealth, praying that a law may be passed to authorise some person or persons, feeling a particular interest in the navigation of the river Susquehanna, to remove the dam erected by James Hopkins, at the Conewago falls: and said petition was read and laid on the table.

Mr. Conyngham, from the committee appointed to view the dam of James Hopkins, at the Conewago falls; made report, which was read as follows, to wit:

That they have performed the service required of them, and now communicate the information they were enabled to procure.



Mr. Hopkins states, that the inner dam along the bank of the river, on the Lancaster side, is seven hundred and fifty-six feet in length, the outer dam is four hundred and sixty to the island; the inner one is three feet and a half above the bottom of the canal, the outer dam is a few inches higher than the inner, from the bed of the canal, and upwards of a foot higher from the bed of the river.

The channel used for the purpose of navigation, is on the east side of the island, and to enable rafts and arks to pass, a shoot is made on the west side of the dam, near the island, forty feet in length and forty feet in breadth, and one adjoining has since been made of forty feet in breadth and eighty feet in length.

It appears to your committee, that as the dam from its height *backs water* above the head of the island, a considerable portion of the water is turned from the east channel to that of the west, as is proved from the following fact: near the head of the island the water formerly flowed through a gut from the west to the east, previous to the dam being erected; at present the water flows from the east to the west, in consequence of the height of the dam.

In case boats and arks pass securily througe the shoot, they will not find a sufficiency of water below the dam to enable them to pass in safety, by reason of the numerous rocks between the dam and the point of the island.

The committee are therefore decidedly of opinion, that the dam, in its present form, is an obstruction on the east side of the island, and that the several provisions of the act passed by the legislature during the last session, have not been complied with; your committee are of opinion that the channel on the west side of the island would be made safe with the expense of three hundred dollars. In the year 1807, an act was passed for the improvement of certain navigable streams, and the sum of one thousand five hundred dollars was appropriated to the improvement of the navigation of the Susquehanna, between Columbia and Middletown, and John Haldiman, Thomas Boude and Alexander Boggs, were appointed commissioners for the purpose of carrying into effect the provisions of said act.

It appears from a letter in the possession of your committee, directed to James Hopkins, dated December 25th, 1820, and signed Henry Haldiman, commissioner; that a contract has been made for the purpose of improving the west channel, which Mr. Haldiman observes has been found safer than the one on the Lan-

eastern side of the island, inasmuch as the channel on the west side can be deepened a foot more than on the Lancaster side, even admitting Hopkins's dam was away. The following is an extract from his letter:—

"Immediately below the dam the whole bed of the river is so shallow, that it would require an immense sum to blow it as low as the other side.

"The difference in the depth of the channel is of vast importance in low water, as there is plenty in the falls after you are past the shallow point.

"It has been proved by experience, that it answers the purpose according to my expectations, as there has been a number of rafts down this fall, and I am informed all went through the new course except two, and without difficulty.

"Whether Mr. Seagraves, the contractor, has complied with his contract I cannot exactly say, he was nearly half done when I last saw it.

"Signed,

HENRY HALDIMAN.

*Commissioner."*

Your committee suggest the propriety of calling on the before mentioned commissioners for an account of the money expended in improving said river, the places improved, whether they have it in contemplation to complete the navigation of the west channel, and such other information as may be in the power of said commissioners to communicate.

Ordered, To lie on the table.

Mr. Dickerson, from the committee to whom was referred on the 22d ult. the petition of sundry inhabitants of Adams county, made report; which was read as follows, to wit:

"That the petitioners state, that judge Scott is old and infirm, and unable at all times to attend to the duties of his appointment, and that his circumstances will not admit of his dispensing with the salary arising therefrom: they also state, that he rendered military services to his country, during her struggle for independence: and they further state, that it might conduce to the public convenience, to have some person appointed who would be better qualified to fill the office he now holds, as asso-

ciate judge; and therefore prays that a sum of money might be granted him to enable him to retire from office.

Your committee have no proof whatever, of his revolutionary services, and they can see no good reason for granting him a pension for his services as associate judge.

The committee would, therefore, submit the following resolution:

Resolved, That the prayer of the petitioners ought not to be granted.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

Mr. Dickerson, from the committee to whom was referred on the 30th ult. the petition of the trustees of Jefferson college, on leave given, reported a bill, entitled

"An act granting a sum of money to Jefferson college: which was read the first time.

The bill, entitled

"An act to annul the marriage of John Erb and Catharine his wife:" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to, and

On the question,

Shall this bill be transcribed for a third reading?

The yeas and nays were required by Mr. Grosh and Mr. M'Mullin, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse,	Messrs. Hurst,
Alter,	Leib,
Cochran,	M'Meens,
Dickerson,	Power,
Eyster,	Sawyer,
Feger,	Winter,
Fry,	Marks, Speaker.

NAYS.

Messrs. Cadwallader,  
Coleman,  
Conyngham,  
Davidson,  
Grosh,  
Hubley,

NAYS.

Messrs. Markley,  
M'Mullin,  
Raguet,  
Smith,  
Willett.

11.

So it was determined in the affirmative.

On motion of Mr. Conyngham and Mr. Dickerson

Ordered, that the resolution read on the 28th ult. relative to a revision of the Judiciary System, be referred to the committee on the Judiciary System.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leib in the chair, on the bill from the House of Representatives entitled

"An act to annul the marriage of John Yerington and Elisabeth his wife."

And after some time,

The committee rose and reported said bill disagreed to.

On the question,

Will Senate adopt said report?

A motion was made by Mr. Davidson and Mr. Leib,

To postpone the further consideration of said question, together with the bill, for the present, which was agreed to.

The clerk of the House of Representatives being introduced, presented for concurrence a bill entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers: which was read the first time.

On motion of Mr. Davidson and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. Markley in the chair, on the bill from the House of Representatives, entitled

"An act authorising the secretary of the Commonwealth to purchase one hundred copies of Purdon's Digest of the Laws of Pennsylvania:

And after some time,  
The committee rose, reported progress and obtained leave to sit again on Wednesday the 10th inst.

On motion of Mr. Conyngham and Mr. Hufst,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill from the House of Representatives, entitled

"An act authorising the electors in the borough of Milton, in the county of Northumberland, to elect overseers of the poor."

And after some time,

The committee rose and reported said bill without amendment.

On motion,

Mr. Markley was appointed teller, to officiate on the part of the Senate at the election of state treasurer on Tuesday next.

Ordered, That the clerk inform the House of Representatives accordingly.

Adjourned until 11 o'clock to-morrow morning.

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## THURSDAY, January 4, 1821.

The speaker laid before the Senate a letter from the State Treasurer, transmitting a detailed statement of the contingent expenses of the treasury office for the year ending on the 30th of November last: submitted in conformity to law; and said letter was read and laid on the table.

Mr. Allshouse presented a remonstrance from sundry members of the Roman Catholic congregation in Unity township, Westmoreland county, against the passage of a law to change the manner of disposing of the property, bequeathed to the cler-

gyman of said congregation by the reverend Theodore Browers, deceased : and the same was read and laid on the table.

Mr. Barnard presented a petition from sundry inhabitants of Chester county, praying that a state road may be laid out from West Chester, in said county, to the Maryland line, in a direction to the Conewingo bridge : and the same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Leib presented a petition from Alexander Patterson, praying to be further remunerated for services rendered by him during and subsequent to the revolutionary war : and the same was read and referred to the committee on claims.

The bill, entitled

“An act to annul the marriage of John Erb and Catharine his wife:” was read the third time, and

Resolved, That it pass.

Ordered, That the clerk present the same to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

“An act authorising the electors in the borough of Milton, in the county of Northumberland, to elect overseers of the poor,” was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Davidson and Mr. Eyster,

The Senate resumed the consideration of the report of the committee of the whole, disagreeing to the bill from the House of Representatives, entitled

“An act to annul the marriage of John Yerington and Elizabeth his wife:” postponed for the present, yesterday; and

The question recurring,

Will Senate adopt said report?

The yeas and nays were required by Mr. Davidson and Mr. Grosh; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Cadwallader, Coleman, Conyngham, Dickerson, Grosh,	Messrs. Hubley, Hurst, Markley, M'Mullin, Power, Raguet, Smith,
	15.
NAYS.	NAYS.
Messrs. Cochran, Davidson, Eyster, Feger, Fry, Hill, Leib,	Messrs. M'Meens, Sawyer, Wallace, Willett. Winter, Marks, Speaker.
	13.

So it was determined in the affirmative, and the bill lost.

A motion was made by Mr. Conyngham and Mr. Willett, and read as follows, to wit:

Resolved, That the committee on the penitentiary system be instructed to inquire into the propriety of providing, in future, for all expenses of the convicts in the state prison, out of the state treasury.

Ordered, To lie on the table.

On motion of Mr. Raguet and Mr. M'Mullin,

The resolution read on the 22d ult. relative to certain banks, was again read, considered and adopted; and

Ordered, That Mr. Raguet, Mr. Eyster, Mr. Coleman, Mr. Smith and Mr. Davidson, be a committee for the purpose therein expressed.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill from the House of Representatives, entitled

"An act authorising Jacob Beer, to execute a certain deed of conveyance therein mentioned."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

On motion of Mr. Raguet and Mr. Markley,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned;" passed the 31st March, 1792.

And after some time,

The committee rose, reported progress and asked leave to sit again; which was not granted.

Whereupon,

A motion was made by Mr. Raguet and Mr. Dickerson,

To commit said bill to the committee on the judiciary system; which was agreed to.

Adjourned until 11 o'clock to-morrow morning.



**FRIDAY, January 5, 1821.**

The speaker laid before the Senate a letter from the cashier of the Philadelphia Bank, together with the statements therein referred to: and the same were read as follows, to wit:



*Philadelphia Bank, Jan-  
uary 3, 1821.*

SIR,

In compliance with the resolution of the Senate of the 22d ultimo, I have the honor to hand you the enclosed statements of this institution, as it stood on the first Monday in November last, and the first day of this present month, for the use of the Senate.

I am,

Very respectfully,

Your obedient servant,

Q. CAMPBELL, *Cashier.*

*Honorable speaker of the }  
Senate of Pennsylvania. }*

Dr.

## PHILADELPHIA BANK.

Contra

Cr.

To amount of capital stock,	\$1,800,000	By amount of bills discounted,	\$1,706,810
Notes in circulation,	553,078	count of	
Discounts received,	9,150		183,256
Due to other banks,	109,700	Loan to state of Pennsylvania	100,000
Sinking fund reserved to liqui-		at 5 per cent,	23,420
date cost of charter and to		U. States 6 per cents,	46,072
meet losses,	172,545	Banking house,	145,126
Due to individual depositors,	521,300	Cost of charter,	21,026
		Real estate,	3,000
		Turnpike road stock,	2,377
		Expenses from October 1st,	
		Specie on hand, \$502,036	
		Notes on hand of other	
		banks paying specie, 128,550	
		Balances due from other	
		banks paying specie, 104,100	
			734,686
			\$ 2,965,773

November 2d, 1820.

Q. CAMPBELL, Cashier.

Dr.

## PHILADELPHIA BANK.

Credita

Cr.

Total amount of capital stock,	\$1,800,000	By amount of bills discounted,	\$1,787,359
Notes in circulation,	340,800	stock bought on account of	184,491
Discounts received,	23,752	Loan to state of Pennsylvania, at 5 per cent,	100,000
Due to other banks,	221,900	Bills at 6 per cent,	50,000
Sinking fund reserved to liquidate cost of charter and meet losses,	173,008	U. States 6 per cents,	23,420
Due to individual depositors,	513,817	Banking house,	46,072
		Cost of charter,	145,126
		Real estate,	21,026
		Turmpike stock,	9,000
		Expenses from October 1st,	3,656
		Specie on hand,	848,757
		Notes on hand of other banks paying specie, 194,900	
		Balances due from other banks paying specie,	
		115,550	
		<u>689,297</u>	
		<u>\$ 3,059,277</u>	
			<u>\$ 3,059,277</u>

QUINTIN CAMPBELL, Cashier.

Ordered, To lie on the table.

On motion of Mr. Leib and Mr. Cadwallader,

Ordered, That the usual number of copies of said letter and statements be printed for the use of the members.

Mr. Grosh presented a remonstrance from James Hopkins, against the passage of a bill, now on the files of the legislature, entitled

"An act for the removal of obstructions to the navigation of the river Susquehanna, at the Conewago falls; occasioned by the erection of James Hopkins' canal (or mill) dam," and the same was read and laid on the table.

Mr. Coleman, from the committee to compare bills and present them to the governor for his approbation, made report; which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the governor for his approbation, the bills entitled as follows, to wit:

"An act to annul the marriage of George Reid and Elizabeth his wife."

"An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth."

Ordered, To lie on the table.

Mr. Conyngham, from the committee to whom was referred, on the 6th ult. a petition from sundry members of the German reformed church, in the city of Philadelphia, praying to be authorised to raise by way of lottery the sum of seven thousand dollars, made report, which was read as follows, to wit:

That it is inexpedient to grant the request of the petitioners;

Therefore,

Resolved, That the committee be discharged from the further consideration of the subject.

Ordered, To lie on the table.

The bill from the House of Representatives entitled

"An act authorising the electors in the borough of Milton, in the county of Northumberland, to elect overseers of the poor," was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

A motion was made by Mr. M'Meens and Mr. Fry, and read as follows, to wit:

the expediency of repealing so much of the act of the legislature, passed the 12th of February 1802, entitled "An act declaring the holding of offices or appointments under this state incompatible with the holding or exercising offices or appointments under the United States," as relates to judges, inspectors and clerks of elections, or make such alterations in the election law, as may in future prevent any person holding any office or appointment under the United States, from serving as an officer of the general election, and that the committee have leave to report by bill or otherwise.

On motion,

Said resolution was again read, considered and adopted, and

Ordered, that Mr. M'Meems, Mr. Hill and Mr. Barnard be a committee for the purpose therein expressed.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on the bill from the House of Representatives, entitled

"An act exempting William Laird, of Mifflin county, from the payment of tavern license."

And after some time,

The committee rose, reported progress and asked leave to sit again, which was not granted.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to provide for the erection of a house of employment and support of the poor, in the county of Franklin;" passed the 11th day of March, A. D. 1807.

And after some time,

The committee rose, reported progress, and obtained leave to sit again on Monday next.

The clerk of the House of Representatives being introduced, presented an extract from the journal of that house, which was read as follows, to wit:

*" In the House of Representatives,*

*"January 5, 1821.*

"On motion,

"Ordered, That Mr. Porter be appointed teller on the part of

that he was, by severe marching and fatigue, rendered unable to perform the duties of a soldier, and was, therefore, discharged from the service.

From a certificate signed by A. Stewart, surgeon of the regiment, and a discharge, signed by William Butler, lieutenant colonel commandant of 4th Pennsylvania regiment, it would appear, that he was discharged as not being able to perform the duties of a soldier; and as there is no evidence before your committee of his having rendered any service whatever:

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

Mr. Willett, from the committee to whom was referred on the 22d ult. a petition from sundry inhabitants of Greenwood township, on leave given, reported a bill, entitled

"An act to extend the boundaries of Union county;" which was read the first time.

Mr. M'Meens, from the committee to whom was referred on the 2d instant, a petition from the commissioners of M'Kean and Potter counties, on leave given, reported a bill, entitled

"An act to legalise the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes;" which was read the first time.

The bill, entitled

"An act to authorise the vacation of Ninth-street, north of Callowhill-street, in the district of Spring-Garden;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act exempting William Laird, of Mifflin county, from the payment of tavern license;" was read the second time, as reported by a committee of the whole yesterday.

The first and only section having been considered,

On the question,

Will Senate agree to said section?

It was determined in the negative, and the bill lost.

On motion of Mr. Conyngham and Mr. Willett,

The resolution read on the 4th instant, relative to convicts, was again read, considered and adopted.

The secretary of the commonwealth being introduced, presented a message from the governor; which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and directed the secretary to return the same to the Senate, in which they originated, viz:

"An act to annul the marriage of George Reid and Elizabeth his wife:"

"An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth."

JOSEPH HESTER.

*Harrisburg, January 6, 1821.*

Ordered, To lie on the table.

On motion of Mr. Smith and Mr. Fry,

The resolution read on the 28th ult. relative to the Library Company, was again read, and the same being under consideration,

A motion was made by Mr. Coleman and Mr. Alter,

To amend the same, by inserting after the word "resolved," the words "by the Senate and House of Representatives of the commonwealth of Pennsylvania, in general assembly met;" and

On the question,

Will Senate agree so to amend?

A motion was made by Mr. Grosh and Mr. Davidson,

To postpone the further consideration of said question, together with the resolution generally; and

On the question,

Will Senate agree so to postpone?

The yeas and nays were required by Mr. Smith and Mr. Grosh, and are as follow, to wit:

## BANK OF NORTHERN LIBERTIES—November 6, 1890.

Bills, notes and bonds,	523,805 39	Capital paid	250,000
Banking house, lot and furniture,	10,000	Notes in circulation	231,400 60
Stocks,	6,613 09	Deposits,	202,757 58
Specie,	142,421 73	Contingent fund,	38,772 86
Notes of other banks,	64,195 43	Profit and loss,	2,710 06
Due from other banks,	18,723 06	Bank dividends unclaimed,	12,518 59
		State tax on dividends, No. 11 and 12,	1,600
		Due to other banks,	26,004 10
	<u>8765,763 70</u>		<u>8765,763 70</u>

The dividends of May and November last, each four per cent. on the capital paid in, is      \$20,000 00



Each member of the legislature shall receive the sum of three dollars per diem, for every day he shall attend upon the duties of his office, and once in each setting of the general assembly, the sum of fifteen cents for each mile he shall travel in coming to and returning from the legislature, and the speaker of the Senate and the speaker of the House of Representatives shall be allowed one dollar per diem in addition.

Section 2, strike out all that follows the enacting clause, and insert the following:

That the sum of three hundred dollars per annum be allowed to the clerk of the Senate and House of Representatives respectively, and the sum of one hundred dollars per annum be allowed to the assistant clerk of the Senate and House of Representatives respectively, to commence from and after the passage of this act, and also the sum of three dollars per diem, during the session of that branch of the legislature for which they respectively officiate, which compensation shall be in full for making an index and all other services performed by said clerks.

Introduce three new sections, as follows, viz:

Sect. 3. And be it further enacted by the authority aforesaid, That the salaries of the auditor-general, surveyor-general, state treasurer, and secretary of the land-office, shall be respectively one thousand four hundred dollars per annum, payable quarterly. And the salary of the deputy secretary of the commonwealth shall be nine hundred dollars per annum, payable quarterly.

Sect. 4. And be it further enacted by the authority aforesaid, That the salary of the attorney-general shall be three hundred dollars per annum, payable quarterly.

Sect. 5. And be it further enacted by the authority aforesaid, That the sum of one thousand dollars be allowed the transcribing clerk of the House of Representatives, as a full compensation for his services in performing all the duties incident to that office.

Make section 3, as passed by Senate, read section 6.

Strike from the 2d and 3d lines thereof, these words, "one hundred dollars per annum and,"

Add two new sections, as follow, viz:

Sect. 7. And be it further enacted by the authority aforesaid, That the commissioners and auditors of the several counties within this commonwealth shall respectively be entitled to receive, out of the county treasuries, the sum of one dollar and fifty cents per diem, for every day they shall necessarily attend to their respective duties, except in the city and county of Philadelphia, where the pay of the commissioners and auditors shall be three dollars per diem.

~~By the order of the Senate, to be read, reported~~  
Ordered, To lie on the table.

A motion was made by Mr. Coleman and Mr. Fry, and read as follows, to wit:

"Resolved, That the committee on the judiciary system be instructed to inquire into the expediency of requiring executors and guardians of minor children to give security for the performance of the trusts confided to them."

Ordered to lie on the table.

The speaker laid before the Senate a letter from Charles Biddle, junior, which was read as follows, to wit:

*Philadelphia, 3d January, 1821.*

SIR,

As the time will shortly arrive in which the Senate will be called upon to nominate directors for the Philadelphia Bank, I request that you will communicate my resignation of the appointment with which the Senate have heretofore been pleased to honor me.

I feel grateful for the confidence which the honorable the Senate of Pennsylvania have placed in me, and beg, through you, to make known to the members my unfeigned respect.

I am your obedient servant,

CHARLES BIDDLE, Junior.

*To the honorable the speaker of }  
the Senate of Pennsylvania. }*

Ordered to lie on the table.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill, from the House of Representatives, entitled

"A supplement to an act, entitled "An act authorising the governor to incorporate the president, managers and company, of the Conemaugh bridge company," was read the second time.

Section 1 being under consideration,

A motion was made by Mr. Raguet and Mr. Hill,

To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

On motion of Mr. Winter and Mr. Fry,

The Senate resumed the second reading and consideration of the bill, entitled

"An act authorising Margaret Messinger and Jacob Messinger, executors of Philip Messinger, deceased, to convey real estate therein mentioned;" postponed for the present on the 15th ultimo.

The question on section 2 recurring,  
It was determined in the affirmative.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

Adjourned until 11 o'clock on Monday morning:

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**MONDAY, January 8, 1824.**

The speaker laid before the Senate a letter from the auditor general, together with the reports therein referred to; which were read as follows, to wit:

*Auditor General's Office, 8th Jan. 1821.*

SIR,

The enclosed copy of the reports of the several banks, incorporated in pursuance of the "Act regulating banks," is respectfully submitted to the Senate, agreeably to the 15th section of the said act.

Very respectfully,

Your most obedient servant,

**GEO. BRYAN.**

*Honorable speaker of the Senate.*

**BANK OF GERMANTOWN—November 6th, 1820.**

To the stockholders for amount capital,	\$52,000
Dividend unpaid,	999 75
Ditto, now declared,	8,800
Contingent fund,	7,232 79
	<hr/>
To the holders of notes in circulation,	163,242 54
To depositors due them,	66,255
To state of Pennsylvania perquisite for charter,	37,748 82
	<hr/>
	608
	<hr/>
	\$267,854 36

Specie.	19,097 71
<u>ru,</u>	848
bridge, 1,500	
Flat rock do.	60
	<hr/>
	0-22,409
	198,247 22
Notes and checks of banks in city of Philadelphia,	5,897 29
	<hr/>
	245,640 22
Due from other banks in Philadelphia, &c.	21,265 32
Expenses incurred in obtaining charter and materials for banking not yet sunk,	248 82
	<hr/>
	\$267,854 36

# BANK OF CHESTER COUNTY--November 6, 1820.

Capital stock,	90,000	Bonds and discounted notes,	183,966	56
Notes in circulation,	104,164	Specie,	43,812	39
Deposits,	64,869	Notes of Philadelphia banks,	4,850	
Profit and loss,	5,069	Notes of other banks at par,	4,450	
Dividends unclaimed,	3,821	Due from banks,	10,302	25
Due Farmers' and Mechanics' bank,	1,498	Bank stock,	15,392	38
		*Real estate,	6,850	
			<hr/>	
			3269,423	58

\*The personal property of the bank, is valued at 300 dollars, but is not entered as an item in the above account, the amount having long since been deducted out of the profits of the institution.

A dividend was declared on the first day of May last, of 3 per cent, for six months, amounting to 2,700  
do. Nov. 6th, 1820, of 3½ per cent, 3,150

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35,850

# **BANK OF GETTYSBURG—November 6, 1820.**

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## **JOURNAL OF**

To bills discounted,	204,749 46	By capital,	133,133
Judgments and mortgages,	41,655 71	Dividends unpaid,	502 73
Specie,	13,457 51	Bank notes in circulation,	40,525
Foreign paper and debts due from other banks.	10,307 66	Amount due to other banks and in- dividual depositors,	97,139 39
Expenses,	1,129 78		
	<hr/>		<hr/>
	3271,300 12		3271,300 12

Dividend declared, including the first Monday of May, 1820, of 2½ per cent. for six months,	33,818 82½
Do. do. do. Nov. 2½ per cent,	3,328 32½
	<hr/>
	37,147 15

# BANK OF MONTGOMERY COUNTY--November 6, 1820.

To amount of capital stock,  
 Notes in circulation,  
 Dividend declared this day,  
 Tax to state,  
 Dividends unclaimed,  
 Contingent fund,  
 Depositors,

76,465  
 80,583  
 2,293 95  
 366 66  
 309 85  
 2,894 75  
 14,115 58  
3176,968 79

By amount of bills discounted,  
 Real estate,  
 Due from other banks,  
 Specie,

142,313 15  
 4,500  
 9,729 24  
 20,426 42  
3176,968 79

Rate and amount of dividends declared in the present year, viz:

May, 3 per cent on 76,310, capital paid in  
 Nov. 3 do. 76,465,

32,289 30  
 2,293 95

Personal property of small value, paid out of surplus fund.

# **BANK OF SWATARA—November 6, 1820.**

Bills receivable,  
 Expenses,  
 Bank of the United States,  
 Foreign notes,  
 Specie,

75,934  
 1,832 98  
 8 92  
 300  
 1,525 27  


---

 \$79,001 17

Stock,  
 Swatara notes in circulation,  
 Bills payable  
 Dividend unpaid,  
 Individual deposits,

62,875  
 2,651 90  
 7,000  
 925 25  
 5,549 02  


---

 \$79,001 17



# CARLISLE BANK—November 6, 1920.

Bills discounted,	190,685	Capital,	163,490
Banking house and lot,	12,550	Notes in circulation,	23,422
Cash in specie, Bank & United States' stock,	33,237	Balances due other banks,	5,363
Balance due from other banks,	485	(unclaimed	
Foreign bank notes,	1,292	is including	46,044
	<u>323,249</u>		<u>223,249</u>

A dividend was declared on the first Monday of May last, at the rate of six per cent, per annum, amounting to  
 Dividend declared this day, at the same rate, amounting to

4,804 65  
 4,815 75

# CENTRE BANK OF PENNSYLVANIA—November 6, 1820.

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Bills and notes remaining unpaid,	28,068 89	Stock paid in,	159,610
Bonds with mortgages and judgment bonds,	202,440 06	Dividends unclaimed,	6,330 79
Real estate,	3,000	Do. declared this day,	4,788 30
Bank stock,	2,870		<u>11,119 09</u>
Due by other banks,	7,935 42	Amount of bank notes in circulation,	32,550
Specie,	14,072 05	Due to other banks,	41,253 11
Foreign notes,	1,535	Due the government United States,	8,130 66
		Due the state of Pennsylvania, tax on the dividend of last year,	766 13
		Money deposited,	6,492 43
			<u>8259,921 42</u>

Real estate valued at 3,500 dollars.—Personal property, 400 dollars.

A dividend was declared on the first Monday of May last, at the rate of 6 per cent. per annum, amounting to

Do. struck this day at the same rate per cent. per annum, amounting to

4,788 90  
4,788 90

# COMMERCIAL BANK OF PENNSYLVANIA, November 6, 1820.

To capital stock, 1,000,000  
 Bank notes in circulation, 112,869  
 Due to other banks, 131,988 47  
 Deposits, including contingent fund, 242,272 63  
 Discounts, 30,576 42

nted, bank stock, 1,047,606 94  
 Bank notes, 200,000  
 Due to other banks, 73,926 53  
 Deposits, 31,662  
 Specie—gold and silver, 139,335  
 Banking house and lot, 20,000 50  
 Expenses, 5,174 65

\$1,517,705 52

\$1,517,705 52

# **EASTON BANK, November 6, 1820**

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Real estate, viz. banking house, 10,000		Capital stock paid in,	214,778
Property conveyed for payment of debt,	4,208 63	Bank notes in circulation,	110,938 85
	<u>14,208 63</u>	Dividends unpaid, including dividend declared this day,	7,798 16
Notes discounted,	171,189 17	Balances due to other banks,	3,112 94
Bonds and mortgages under the ninth section of the "Act regulating banks," funded debt of the United States, Easton and other Bank stock,	125,128 64	Deposits,	37,583 74
Balances due from banks,	26,146 40	Contingent fund,	9,628 67
Cash on hand, viz. specie,	35,080 73		
Notes of various banks,	12,078 79		
	<u>47,159 52</u>		
	<u>\$383,832 36</u>		<u>\$383,832 36</u>

Amount of dividend declared May 1, 1820, for the preceding six months, at three per cent. 6021  
Amount of dividend declared November 6, 1820, for the preceding six months, at three per cent. 6,004 80  
\$12,025 80

# FARMERS' BANK OF READING—November 6, 1890.

Amount of stock paid in,	\$00,850	Amount of bills discounted,	\$07,795 96
Amount of notes in circulation,	53,127	Bonds,	\$5,303 24
Balances due to other banks,	17,589 22	Bank stock,	\$4,581
Deposits,	18,014 19	Real estate,	14,641
		Foreign notes,	1,400
		Specie,	5,359 21
	<hr/>		<hr/>
	\$389,080 41		\$389,080 41

1890, May 1st. Dividend declared at the rate of 4 per cent. per annum, amounting for six months to  
1890, November 6. Dividend declared at the rate of one per cent. per annum, amounting for six months to

5,324 76
1,328 79
<hr/>
\$6,653 55

# FARMERS' BANK OF BUCKS COUNTY—November 6, 1820.

1820

To capital stock in	60,090	By bills and notes discounted, and bonds,	109,760
Surplus fund,	5,056	Specie on hand,	88,531
Bank notes in circulation,	48,647	Notes of the banks of Philadel-	64
Dividends unpaid, including that of this		phia, and others at par,	5,596
day,	2,528	Notes of banks under par,	51
Tax on dividends due the state,	382		162
Individual depositors,	12,565	Due from other banks,	14,290
	20	Own bank stock,	15
			4,814
			23
			405
			97
			97

No real estate. — Personal property consisting of articles necessary only for carrying on the operations of the bank,

Note.—Dividend declared May 1, 1820, for the preceding six months, at 4 per cent. amount 2,321 60  
Do. do. Nov. 6, 1820, for the preceding six months, at 4 per cent. amount 82,387 40

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# FARMERS' BANK OF LANCASTER--November 6, 1820.

Stock	600,000	Bills discounted and outstanding,	706,420 41
Bank notes in circulation,	199,215	Bank stock,	33,200
Dividends due,	21,466 19	Banking house and other property,	21,932 06
Due to state of Pennsylvania for tax		Notes of other banks,	14,933
on dividend,	2,880	Specie,	65,259.74
Banks,	217 50	Due from other banks,	37,883
Profits undivided,	27.79		
Deposits,	55,821 73		
	<hr/>		<hr/>
	8879,628 21		8879,628 21

Amount of dividend during the preceding year, ending the 6th November, 1820, at the rate of six per cent.

836,000 00

# BANK OF SWATARA--November 6, 1820.

Bills receivable,  
Expenses,  
Bank of the United States,  
Foreign notes,  
Specie,

75,534	Stock.
1,832 98	
8 92	
300	
1,525 27	
<u>879,001 17</u>	

circulation,  
do,

62,875
2,651 90
7,000
925 25
5,349 02
<u>879,001 17</u>



# CARLISLE BANK--November 6, 1820.

Bills discounted,	190,685	Capital,	163,490
Banking house and lot,	12,550	Notes in circulation,	23,422
Cash in specie, Bank & United States' stock,	33,257	Balances due other banks,	5,363
Balance due from other banks,	485	Amount of individual deposits (unclaimed dividends) and surplus profits including dividend declared this day,	46,044
Foreign bank notes,	1,292		
	<u>3238,249</u>		<u>3238,249</u>

A dividend was declared on the first Monday of May last, at the rate of six per cent, per annum, amounting to  
 Dividend declared this day, at the same rate, amounting to

4,804 65  
 4,815 75

# CENTRE BANK OF PENNSYLVANIA—November 6, 1820.

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## JOURNAL OF

Bills and notes remaining unpaid,	28,068 89	Stock paid in,	159,610
Bonds with mortgages and judgment bonds,	202,440 06	Dividends unclaimed,	6,330 79
Real estate,	3,000	Do. declared this day,	4,788 30
Bank stock,	2,870		<u>11,119 09</u>
Due by other banks,	7,935 42	Amount of bank notes in circulation,	32,550
Specie,	14,072 05	Due to other banks,	41,253 11
Foreign notes,	1,535	Due the government United States,	8,130 66
		Due the state of Pennsylvania, tax on the dividend of last year,	766 13
		Money deposited,	6,492 43
			<u>8259,921 42</u>

Real estate valued at 3,500 dollars.—Personal property, 400 dollars.

A dividend was declared on the first Monday of May last, at the rate of 6 per cent. per annum, amounting to

Do. struck this day at the same rate per cent. per annum, amounting to

4,788 30  
4,788 30

COMMERCIAL BANK OF PENNSYLVANIA, November 8, 1870.

To capital stock,	1,000,000	counted,	1,047,606 84
Bank notes in circulation,	112,869	1 Bank stock,	200,000
Due to other banks,	181,988 47	Due from other banks,	73,926 53
Deposits, including contingent fund,	242,272 63	Notes of other banks,	51,662
Discounts,	30,575 42	Specie—gold and silver,	139,335
		Banking house and lot,	20,080 50
		Expenses,	5,174 65
	<u>21,517,705 59</u>		<u>81,517,705 58</u>

November 6, 1820

Real estate, viz. banking house, 10,000			
Property conveyed for payment of debt,	4,208 68		
Notes discounted,		14,208 63	
Bonds and mortgages under the ninth section of the "Act regulating banks," funded debt of the United States, Eastern and other Bank stock,		171,189 17	
Balances due from banks,		125,128 64	
Cash on hand, viz. specie,	35,080 73	26,146 40	
Notes of various banks,	12,078 79		
		47,159 52	
			\$383,832 36

Capital stock paid in,	214,778
Bank notes in circulation,	110,938 85
Dividends unpaid, including dividend declared this day,	7,798 16
Balances due to other banks,	3,112 94
Deposits,	37,583 74
Contingent fund,	9,628 67
	\$383,832 36

6021

6,004 80

**812,025 80**

# FARMERS' BANK OF READING—November 6, 1890.

Amount of stock paid in,	\$00,850	Amount of bills discounted,	\$07,795 96
Amount of notes in circulation,	53,127	Bonds,	\$5,303 24
Balances due to other banks,	17,589 22	Bank stock,	\$4,581
Deposits,	18,014 19	Real estate,	14,641
		Foreign notes,	1,400
		Specie,	5,359 21
	<u>\$389,080 41</u>		<u>\$389,080 41</u>

1890, May 1st. Dividend declared at the rate of 4 per cent. per annum, amounting for six months to  
 1890, November 6. Dividend declared at the rate of one per cent. per annum, amounting for six months to

5,324 76
1,328 79
<u>\$6,653 55</u>

# FARMERS' BANK OF BUCKS COUNTY--November 6, 1820.

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JOURNAL OF

To capital stock in	60,090	By bills and notes discounted, and bonds,	109,760
Surplus fund,	5,056	Specie on hand,	38,531
Bank notes in circulation,	48,647	Notes of the banks of Philadel-	64
Dividends unpaid, including that of this		phia, and others at par,	5,596
day,	2,528	Notes of banks under par,	51
Tax on dividends due the state,	382		162
Individual depositors,	12,565	Due from other banks,	14,290
	20	Own bank stock,	15
			4,814
			93
			405
			8129,269
			97

No real estate. - Personal property consisting of articles necessary only for carrying on the operations of the bank,

Note.--Dividend declared May 1, 1820, for the preceding six months, at 4 per cent. amount 2,321 60  
Do. do. Nov. 6, 1820, for the preceding six months, at 4 per cent. amount 32,387 40

**FARMERS' BANK OF LANCASTER—November 6, 1820.**

Stock	\$600,000
Bank notes in circulation,	199,215
Dividends due,	\$1,466 19
Due to state of Pennsylvania for tax on dividend,	2,860
Banks,	217 50
Profits undivided,	27 79
Deposits,	55,821 73
	<hr/>
	\$879,628 21

**Amount of dividend during the preceding year, ending the 6th November, 1820, at the rate of six per cent.**

**\$36,000.00**

# HARRISBURG BANK--November 6, 1820.

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## JOURNAL OF

To bills discounted,	323,800 63	By capital stock paid in,	159,525
real estate, &c.	29,519 42	stock canceled,	2,500
Notes of other banks,	15,108 58		<u>157,025</u>
Specie,	22,572 19	Notes in circulation,	81,210 63
Due from other banks,	40,982 59	Bond payable to the Philadelphia	
28 shares of Harrisburg bridge stock,	360	bank for the purchase of their	
		late office of discount and depo-	
		sit, at this place:	
		Due March 29, 1821,	30,727
		Do. due September 29, 1821,	30,732 37
		Do. due March 29, 1822,	30,727
			<u>92,186 37</u>
		Due to other banks,	14,905 23
		Due to depositors,	79,605 96
		Dividends unclaimed,	1,470 16
		Nett profits since May last,	5,940 04
			<u>8432,343 41</u>
			8432,343 41
Dividend declared first Monday of May, 1820, on 159,523 dollars, at the rate of 6 per cent.			
per annum,			4,785 75
Do. first Monday of Nov. 1820, on 157,025		do.	4,710 75
			<u>9,496 50</u>



## HUNTINGDON BANK—November 6, 1820.

Specie,	7,795 96	Stock paid in,	123,122 50
Foreign notes,	665	Notes in circulation,	15,400
Bank stock (Huntingdon)	27,810	Small checks, do.	1,652
Real estate, viz. banking house and lot,	1,600	Due to other banks,	13,378 13
Due by other banks,	607 01	Surplus fund,	15,439 34
Bills, notes and judgments,	154,323	Deposits, including dividends unpaid,	23,809
	<hr/>		<hr/>
	\$192,800 97		\$192,800 97

Personal property owned by the bank, consisting of furniture, &c. not included in the above statement, valued at 300 dollars.

*Note.*—Dividend declared on the first Monday November, 1820, upon the amount entitled thereto, 2,858 dollars and 62½ cents; rate of dividend three per cent. per annum.

No dividend declared on first Monday of May, 1820.

# LANCASTER BANK—November 6, 1820.

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Capital,  
Notes in circulation,  
Dividends unclaimed,  
Tax to state,  
Discount, deducting expenses,  
Due to other banks,  
Deposits,

161,525  
60,360  
5,868 48  
754 14  
4,672 97  
389 80  
10,066 85  

---

\$243,687 24

Bills discounted,  
Notes of other banks,  
Specie,  
259 shares Lancaster bank stock,

219,054 24  
4,478  
13,690  
6,475  

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\$243,687 24

Dividend 1st Monday in May, 4,771 dollars 58 cents; rate of 6 per cent. per annum.  
Dividend 1st Monday in November, 4,655 dollars 20 cents; rate of 5 8-10 per cent. per annum.

# MARIETTA AND SUSQUEHANNA TRADING COMPANY—November 6, 1820.

To amount of capital stock paid in,	263,640	By amount of bills discounted,	188,898
notes in circulation,	24,842	Judgments and mortgages,	177,275 55
due other banks,	23,937 15	Real estate,	9,565 61
dividends unpaid,	19,128 98		
due to depositors,	44,191 03		
	<hr/>		<hr/>
	\$375,739 16		\$375,739 16

May 8th, 1820, No dividend declared.  
 November 6th, 1820, Dividend of three cents per share, declared on eight thousand three hundred and thirty shares, amounting to 249 dollars and 90 cents.

# MECHANICS' BANK OF THE CITY AND COUNTY OF PHILADEL- PHIA--November 6, 1820.

To amount of capital stock,	530,300	By bills discounted,	494,500
Notes in circulation,	62,800	Stock of the bank,	77,400
Due other banks,	26,700	Specie (gold and silver)	75,300
Surplus fund,	27,600	Notes of other banks,	29,500
Deposits,	132,300	Due from other banks,	97,700
		Contingent accounts,	27,200
		Expense,	3,800
		Estate,	34,300
			<hr/>
			\$779,700
			<hr/>
			\$779,700

Amount of dividend declared November 6th, 1820, 3,110 dollars 90 cents.

# MONONGAHELA BANK OF BROWNSVILLE--November 6, 1820.

To capital stock,	102,123	By real property,	5,261 76
Surplus fund,	1,404 13	Personal do.	150
Foreign banks,	821 09	Foreign banks,	2,736 81
Bank notes in circulation,	24,112	Bills and notes outstanding,	129,560 01
Deposits,	25,573 05	Monongahela bank of Brownsville stock,	90
		Foreign bank paper,	4,732
		Specie,	11,502 69
	<u>\$154,033 27</u>		<u>\$154,033 27</u>

THE SENATE.

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Amount of dividends made to the stockholders, subsequent to the 1st of January, 1820.

May 1st, 1820, capital paid, 102,123 dollars--

On which was declared  $2\frac{1}{2}$  per cent.

Tax to the state of Pennsylvania, viz: 8 per cent. on the dividend,

2,553 07

204 24

November 6th, 1820, capital paid, 102,123 dollars--

On which was declared  $2\frac{1}{2}$  per cent.

Tax to the state of Pennsylvania, viz: 8 per cent. on the dividend,

2,553 07

204 24

\$5,106 14 \$408 48

## NORTHAMPTON BANK—November 6, 1820.

To capital stock, 2,500 at 50 dolls. per share, 125,000	By amount due on capital stock, 12,950
Bank notes in circulation, 48,990	of Northampton bank stock, 13,185
Dividends unpaid, including dividend No. 12, 3,639 50	26,135
Amount due of Pennsylvania, 8 per cent. on dividend No. 11, and the one this day declared, 482 11	led, 28,736 23
Amount due depositors, 4,106 66	ling
Balance of profit and loss, 230 50	sec. 101,925 58
	4,640
	banks, 7,224 10
	Specie, 13,787 86
	21,011 96
	<u>8182,448 77</u>
	8182,448 77

N. B.—Amount of dividend declared on the 1st Monday of May, 1820, at 6 per cent. per annum, 3,046 95.  
on the 1st Monday of Nov. 1820, at 6 per cent. per annum, 2,979 45

# NORTHUMBERLAND, UNION AND COLUMBIA BANK—November 6, 1820.

Specie	290 06	Capital stock received,	117,244 84
Notes	480	Contingent fund,	5,000
Bills,	141,424 50	Profit and loss balance,	301 28
Bank note and rec,	4,000	Dividends unclaimed,	1,872 02
Stock of the Lewisburg bridge company,	2,000	Bank notes :	9,899 50
Do. of the Northumberland, Union and		State tax on	234 35
Columbia bank,	14,345	Due to banks,	13,828 73
Due from banks,	127 97	Due depositors,	14,286 61
			<hr/>
			\$162,667 33

A dividend declared on the first Monday of May last, at the rate of 4 per cent. per annum, amounting to

Do. declared this day, at the rate of 1 per cent. per annum, amounting to

\$2,343 49  
586 22

# SILVER LAKE BANK—November 6, 1820.

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To stock paid in,	65,898 30	By notes discounted, outstanding,	105,297 42
Silver lake bills in circulation,	34,868	Notes of other banks,	446
Dividends unpaid,	1,765 55	Specie,	23 17
Surplus fund,	820 52	Real and personal property,	8,533 98
Tax due the commonwealth,	61 34	Judgment liens paid by the bank,	1,622 17
Due to banks,	10,000	Stock of this bank bought in & cancelled,	14,657
Deposits,	17,166 03		
	<hr/>		
	\$130,579 74		<hr/>
			\$130,579 74

## JOURNAL OF

Amount of dividend 1st Monday in May, 1820, for the six months preceding, at the rate of 2 per cent. per annum, 511 17

Amount of dividend 1st Monday in November, 1820, for the six months preceding, at the rate of one per cent. per annum, 255 58

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8766 73  
08

Tax of 8 per cent.

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61 34



# **NORTH WESTERN BANK OF PENNSYLVANIA—November 6th, 1820.**

Bills discounted,	129,902 26	Stock paid in,	77,688 32
Real estate,	2,679 53	North Western bank notes in circulation	
North Western bank stock,	14,040	(including endorsed notes),	56,854
Due by the Philadelphia bank,	38 84	Balance of dividends No. 1, 2, 3, 4, 5, 6, 7,	
Specie,	292 56	8 and 9, unpaid,	510 74
		Dividend No. 10, declared this day,	2,330 64
		Contingent fund,	7,875 50
		Money of depositors,	1,693 99
	<u>8146,953 19</u>		<u>8146,953 19</u>

Rate and amount of dividend for the preceding year, ending this day, viz:  
November 6th, 1820, 3 per cent.      82,330 64

# SCHUYLKILL BANK—November 6th, 1820.

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## JOURNAL OF

Amount of capital stock,	400,000	Amount of bills discounted,	459,039 94
Dividends unclaimed,	2,282 50	Real estate,	49,909 60
Dividend declared this day,	12,000	Due from sundry banks,	165,396 89
Schuykill bank notes in circulation,	190,541	U. States 6 & 7 per cent. stock,	25,303 20
Due to sundry banks,	149,386 98	Schuykill bank stock,	11,612 50
Depositors,	293,222 04	Mississippi, do.	5,669 50
Balance, surplus fund,	8,601 81	Loan to corporation,	4,300
		Cash on hand, viz:	
		Specie, gold and silver,	147,006 19
		Notes of other banks,	187,796 51
			<u>334,802 70</u>
			<u>\$1,056,084 83</u>

Rate and amount of dividends declared in the present year, viz:

May 1st, 1820, 3 per cent. on capital of 400,000 dollars,	\$12,000
November 6th, do.	12,000

# UNION BANK OF PENNSYLVANIA—November 6, 1820.

Bills discounted, outstanding,  
 Silver and gold,  
 Foreign notes,  
 Due from individuals,  
 Real estate,

167,047  
 11  
 1,199  
 5,232  
 7,607  
 -----  
 \$181,096

124,792  
 25,064  
 4,274  
 19,697  
 7,269  
 -----  
 \$181,096

27

A dividend was declared 1st Monday in May, 1820, on 124,792 dollars, of 4 per cent amounting  
 to  
 No dividend was declared in November last.

\$4,991 68

# WESTMORELAND BANK OF PENNSYLVANIA—November 6, 1820.

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JOURNAL OF

Bills discounted,  
Real estate,  
Specie,  
Notes of other banks,

154,276  
11,600  
12,142 13  
2,100

Stock paid,  
Notes in circulation,  
Contingent fund,  
Dividends unpaid,  
Discounts received,  
Deposits,

111,969  
21,323  
1,072 67  
817 19  
2,591 30  
42,350 90

\$180,118 13

\$180,118 13

On the first Monday in May, 1820, a dividend of three per centum for the last half year was declared, amounting to  
On the first Monday of November, 1820, a dividend of three per centum for the last half year was declared, amounting to

3,358 89

3,358 89

\$6,717 78

YORK BANK--November 6, 1890.

Banking house,	10,370 80	Capital,	192,940
Notes and bills discounted	239,514 73	Surplus profits,	4,565 61
Specie, viz. silver	44,850 05	Balances due sundry banks,	2,411 69
Gold,	2,001 45	Individual deposits,	63,647 24
		Our notes in circulation,	56,115
Foreign paper, and balances due from	46,851 50		
sundry banks,	9,492 41		
Water stock,	300		
York-Bank stock,	19,140		
	<u>8319,669 44</u>		<u>819,669 44</u>

Dividends declared the preceding year, viz.

May 1, on	\$192,940, at 3 per cent.	5,788 20
November 6,	same at 3 per cent.	5,788 20

# NORTHAMPTON BANK—November 6, 1820.

To capital stock, 2,500 at 50 dolla. per share, 125,000	By amount due on capital stock, 12,950
Bank notes in circulation, 48,990	of Northampton bank stock, 18,185
Dividends unpaid, including dividend No. 12, this day declared, 3,639 50	<u>26,135</u>
Amount due the state of Pennsylvania, 8 per cent. on dividend No. 11, and the one this day declared, 482 11	led, 23,736 23
Amount due depositors, 4,106 66	ding
Balance of profit and loss, 230 50	sec. 101,925 58
	4,640
	banks, 7,224 10
	Specie, 13,787 86
	<u>21,011 96</u>
	<u>3182,448 77</u>
	3182,448 77

N. B.—Amount of dividend declared on the 1st Monday of May, 1820, at 6 per cent. per annum, 3,046 95.  
on the 1st Monday of Nov. 1820, at 6 per cent. per annum, 2,979 45

# NORTHUMBERLAND, UNION AND COLUMBIA BANK—November 6, 1820.

Specie on hand,	290 06	Capital stock received,	117,244 84
Notes of other banks,	480	Contingent fund,	5,000
Bills, notes and judgments,	141,424 30	Profit and loss balance,	301 28
Bank house and lot,	4,000	Dividends unclaimed,	1,872 02
Stock of the Lewisburg bridge company,	2,000	Bank notes in circulation,	9,899 50
Do. of the Northumberland, Union and		State tax on dividends No. 10 and 11,	234 35
Columbia bank,	14,345	Due to banks,	13,828 73
Due from banks,	127 97	Due depositors,	14,286 61
	<u>162,667 33</u>		<u>162,667 33</u>

A dividend declared on the first Monday of May last, at the rate of 4 per cent. per annum, amounting to  
Do. declared this day, at the rate of 1 per cent. per annum, amounting to

32,343 49  
586 22

# SILVER LAKE BANK—November 6, 1820.

To stock paid in,	65,898 30	By notes discounted, outstanding,	105,297 42
Silver lake bills in circulation,	34,868	Notes of other banks,	446
Dividends unpaid,	1,765 55	Specie,	23 17
Surplus fund,	820 52	Real and personal property,	8,533 98
Tax due the commonwealth,	61 34	Judgment liens paid by the bank,	1,622 17
Due to banks,	10,000	Stock of this bank bought in & cancelled,	14,657
Deposits,	17,166 08		
	<u>17,166 08</u>		
	\$130,579 74		<u>\$130,579 74</u>

Amount of dividend 1st Monday in May, 1820, for the six months preceding, at the rate of 2 per cent. per annum, 511 17

Amount of dividend 1st Monday in November, 1820, for the six months preceding, at the rate of one per cent. per annum, 255 58

	<u>8766 75</u>
	08
Tax of 8 per cent.	<u>61 34</u>



**NORTH WESTERN BANK OF PENNSYLVANIA--November 6th, 1820.**

[illegible]

Rate and amount of dividend for the preceding year, ending this day, viz:  
November 6th, 1820, 3 per cent. \$2,350 64

# SCHUYLKILL BANK—November 6th, 1820.

Amount of capital stock,	400,000	Amount of bills discounted,	459,039 94
Dividends unclaimed,	2,282 50	Real estate,	49,909 60
Dividend declared this day,	12,000	Due from sundry banks,	165,396 89
Schuykill bank notes in circulation,	190,541	U. States 6 & 7 per cent. stock,	25,303 50
Due to sundry banks,	149,386 98	Schuykill bank stock,	11,612 50
Depositors,	293,222 04	do.	5,669 50
Balance, surplus fund,	8,601 81	ration,	4,300
		Cash on hand, viz:	
		Specie, gold and silver,	147,006 19
		Notes of other banks,	187,796 51
			<u>334,802 70</u>
	<u>\$1,056,034 33</u>		<u>\$1,056,084 83</u>

Rate and amount of dividends declared in the present year, viz:

May 1st, 1820, 3 per cent. on capital of 400,000 dollars,	\$12,000
November 6th, do.	12,000

# UNION BANK OF PENNSYLVANIA--November 6, 1820.

Bills discounted, outstanding,  
Silver and gold,  
Foreign notes,  
Due from individuals,  
Real estate,

167,047	Stock paid in,
11	Notes in circulation,
1,199	Discounts since May last,
5,232	Due other banks,
7,607	Deposits,
<u>167,047</u>	
\$181,096	

124,792
25,064
4,274
19,697
7,269
<u>124,792</u>
\$181,096

THE SENATE.

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A dividend was declared 1st Monday in May, 1820, on 124,792 dollars, of 4 per cent amounting to \$4,991 68

No dividend was declared in November last.

# WESTMORELAND BANK OF

PENNSYLVANIA--November 6, 1820.

Bills discounted,  
Real estate,  
Specie,  
Notes of other banks,

134,276  
11,600  
12,142 13  
3,100  

---

\$180,118 13

Stock paid,  
Notes in circulation,  
Contingent fund,  
Dividends unpaid,  
Discounts received,  
Deposits,

111,963  
21,323  
1,072 67  
817 19  
2,591 30  
42,350 90  

---

\$180,118 13

On the first Monday in May, 1820, a dividend of three per centum for the last half year was declared, amounting to  
On the first Monday of November, 1820, a dividend of three per centum for the last half year was declared, amounting to

3,358 89  
3,358 89  

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\$6,717 78

# YORK BANK--November 6, 1830.

Banking house,	10,370 80	Capital,	192,940
Notes and bills discounted	239,514 73	Surplus profits,	4,555 51
Specie, viz. silver	44,830 05	Balances due sundry banks,	2,411 09
Gold,	2,001 45	Individual deposits,	63,647 24
		Our notes in circulation,	56,115
Foreign paper, and balances due from	46,831 50		
sundry banks,	3,492 41		
Water stock,	300		
York Bank stock,	19,140		
	<u>\$319,669 44</u>		<u>\$319,669 44</u>

Dividends declared the preceding year, viz.

May 1, on \$192,940, at 3 per cent. 5,788 20  
November 6, same at 3 per cent. 5,738 25

**Ordered, To lie on the table.**

**On motion of Mr. Grosh and Mr. Alter,**

**Ordered, That the usual number of copies of the foregoing reports be printed for the use of the members.**

**The speaker also laid before the Senate the following letter and statement, to wit:**

**SIR,**

**In conformity with the 18th section of the act entitled "An act to enable the governor of this commonwealth, to incorporate a company to make an artificial road from the city of Philadelphia, through Germantown, to the ten mile stone on Chesnut-Hill, &c." I have the honor, on behalf of the president and managers of the said company, to annex an abstract of the accounts of the Germantown and Perkiomen turnpike road company, for the year 1820, which I beg the favor of your laying before the honorable the Senate of Pennsylvania.**

**I have the honor to be,**

**With great respect,**

**Your obedient servant,**

**BENJAMIN CHEW, President  
of the Germantown and Perkiomen  
Turnpike Road Company.**

**Philadelphia 10th December, 1820.**

**To the honorable the speaker of the Senate }  
of the commonwealth of Pennsylvania. }**

**Abstract from the accounts of the Germantown and Perkiomen  
Turnpike Road Company, for the year 1820.**

**Capital stock divided into shares of 100 dollars  
each, \$285,000 00**

**Receipts of toll, &c. for six months, to 1st**

**May, \$11,954 76**

**For 6 months to 6th November, 1820, 7,487 16**

**19,441 92**

**Expenses for repairs, salaries, &c. for six  
months, to 1st May, 8,163 37**

**Do. six months to 6th November, 1820, 4,152 59**

**Dividend declared 1st May, at 1 per cent. 2,850 00**

**Do. 6th November, 1820, 1½ per cent. 4,275 00**

**19,440 96**

**SAMUEL HARVEY, Treasurer.**

**Philadelphia, 6th November, 1820.**

And said letter and statement were read and laid on the table.

Mr. Hill presented a petition from sundry inhabitants of Greene county, stating that a number of persons of color, have settled in different parts of this state, and that from various attempts, they have been enabled to seduce into marriage, the minor children of the white inhabitants. The petitioners therefore pray, that a law may be passed, to make null and void, all such marriages which may hereafter be contracted; and also to make penal, all such acts in the persons who marry them, as well as the men who take away a white man's daughter: and said petition was read and referred to the committee on the judiciary system.

Mr. Winter presented a petition from sundry inhabitants of Northampton county, praying that five or six thousand dollars may be appropriated towards the improvement of that part of the road leading from Easton to Berwick, which is situated between the Lehigh Gap, in the Blue Mountain, and the Lehigh and Susquehanna turnpike, a distance of about twelve miles: and said petition was read and referred to the committee on roads, bridges and inland navigation.

Mr. Barnard presented a petition from sundry inhabitants of Birmingham and Thornbury townships, praying that that part of said townships now in the county of Delaware, may be re-annexed to the county of Chester: and the same was read and referred to Mr. Barnard Mr. Breck and Mr. Eichelberger.

Mr. Barnard also presented three remonstrances of similar tenor, from sundry inhabitants of Delaware county, against the prayer contained in the preceding petition: and the same were read and referred to the last named committee.

Mr. Raguet presented a petition from the president, managers and company of the Schuylkill Navigation Company, setting forth the progress made in the work undertaken by them, and praying that legislative aid may be granted, to enable them to complete the same: and said petition was read and laid on the table.

On motion of Mr. Raguet and Mr. Grosh,

Ordered, That the usual number of copies of the last named petition, be printed for the use of the members.

The bill, entitled

"An act authorising Margaret Messinger and Jacob Messinger, executors of Philip Messinger, deceased, to convey real estate therein mentioned;" was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk present said bill to the House of Representatives for concurrence.**

**Mr. Hill read a bill in his place, and on leave given presented the same to the chair, entitled**

**"A supplement to the act entitled "An act for the better preservation and increase of the Library of this commonwealth; which was read the first time.**

**Mr. Dickerson, from the committee to whom was referred on the 4th instant, the petition of Alexander Patterson, made report; which was read as follows, to wit:**

**That the petitioner states, that he rendered services and expended money during the revolutionary war, for which he never has been remunerated.**

**And that the price of a tract of land, in Luzerne county, had been awarded to him by a jury, as a Pennsylvania claimant; which sum he states he was prevented from receiving, through the interference of the then legislature.**

**The price of this tract of land, it appears, had been previously drawn from the state treasury by an Alexander Scott; and it would therefore have been unjust for the state to have paid the money over again, neither would your committee recommend that any further provision should be made to remunerate him for his expenses and services during the revolutionary war, for over and above the usual pay, we find that so early as the year 1804, a law passed, granting him four hundred dollars and an annuity of one hundred, payable half yearly, during life;**

**Therefore,**

**Resolved, That the committee be discharged from any further consideration of the subject.**

**On motion,**

**Said report was again read, and the resolution thereto attached, considered and adopted.**

**A motion was made by Mr. Markley and Mr. Eichelberger, and read as follows, to wit:**

**Whereas, the administration of justice is in a great degree retarded in several of the judicial districts of the courts of common pleas in this commonwealth, from the great increase of business and an unequal apportionment of the counties to several of the districts.**

**Be it resolved, That the committee on the judiciary, be instructed to enquire into the expediency of changing and organ-**



izing the several judicial districts of the courts of common pleas in this commonwealth, so as to render the said districts more equal in the apportionment of business, and in order more effectually to facilitate the administration of justice.

Ordered to lie on the table.

A motion was made by Mr. Davidson and Mr. Hubley,

That the Senate proceed to the second reading and consideration of the amendments by the House of Representatives, to the bill, entitled

"An act reducing the pay of the members and officers of the legislature;" read on the 6th inst.

And on the question,

Will Senate proceed to the consideration of the same?

The yeas and nays were required by Mr. Davidson and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Davidson, Eichelberger, Eyster, Fry, Grosh,	Messrs. Hubley, Hurst, Markley, Sawyer, Smith, Willett. Winter, Marks, Speaker. 16.
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Dickerson, Feger, Hill,	Messrs. Leib, M'Meens, M'Mullin, Piper, Power, Raguet, Wallace, 15.

So it was determined in the affirmative.

The first amendment being under consideration, viz:

Section 1, line 4, strike out all that follows the word "that" to the end of the section, and insert in lieu thereof, the following:

"Each member of the legislature shall receive the sum of three dollars per diem for every day he shall attend upon the duties of his office, and once in each sitting of the general assembly, the sum of fifteen cents for each mile he shall travel in coming to and returning from the legislature; and the speaker of the Senate and the speaker of the House of Representatives, shall be allowed one dollar per diem in addition.

A motion was made by Mr. Hubley and Mr. Coleman,

To amend the same by striking therefrom, the words "three dollars," and by inserting in lieu thereof, the words "two dollars."

Whereupon,

A division of the question was called for by Mr. Dickerson, to end with striking out; and

On the question,

Will Senate agree so to strike out?

The yeas and nays were required by Mr. Coleman and Mr. Leib; and are as follow, to wit:

YEAS.	YEAS.
Messrs. Coleman, Hubley, Leib,	Messrs. M'Mullin, Raguet,
	5.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Breck, Cadwallader, Cochran, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Feger, Fry,	Messrs. Grosh, Hill, Hurst, Markley, M'Meens, Piper, Power, Sawyer, Smith, Wallace, Willett, Winter, Marks, Speaker. 26.

So it was determined in the negative.

A motion was then made by Mr. Barnard and Mr. Coleman.

To amend said amendment, by inserting after the word "day," where it first occurs, the words "from the commencement of the present session;" and by inserting between the words "shall attend," these words, "have attended or may hereafter," and

On the question,

Will Senate agree so to amend?

The yeas and nays were required by Mr. Barnard and Mr. Coleman, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Barnard, Breck, Coleman, Conyngham, Eichelbarger, Feger,	Messrs. Hill, Hubley, Hurst, Markley, Sawyer, Willett. Marks, Speaker. 14.
NAYS.	NAYS.
Messrs. Alter, Cadwallader, Cochran, Davidson, Dickerson, Eyster, Fry, Grosh, Leib,	Messrs. M'Meens, M'Mullin, Piper, Power, Ragnet, Smith, Wallace, Winter, 17.

So it was determined in the negative.

A motion was then made by Mr. Dickerson and Mr. Cochran,

To amend said amendment, by striking from line 5, the words "once in each setting of the general assembly;" and by inserting in lieu thereof, the words "shall receive;" and by striking out the word "legislature," where it last occurs, and by inserting in lieu thereof, the words "seat of government;" which was agreed to; and

On the question,

Will Senate concur in said amendment as amended?

It was determined in the negative,

The second amendment was considered and non-concurred in, to wit:

Section 2. Strike out all that follows the enacting clause and insert the following:

"That the sum of three hundred dollars per annum be allowed to the clerk of the Senate and House of Representatives respectively; and the sum of one hundred dollars per annum, be allowed to the assistant clerk of the Senate and House of Representatives respectively; to commence from and after the passage of this act; and also the sum of three dollars per diem, during the session of that branch of the legislature for which they respectively officiate, which compensation shall be in full for making an index, and all other services performed by said clerks."

On motion,

The sixth amendment was considered and non-concurred in, viz:

Make section 3, as passed by Senate, read section 6; strike from the second and third lines thereof, these words, "one hundred dollars per annum, and

The third amendment recurring, and being under consideration, viz.

Introduce a new section as follows, viz.

Section 3. And be it further enacted by the authority aforesaid, That the salaries of the auditor general, surveyor general, state treasurer and secretary of the land office, shall be respectively, one thousand four hundred dollars per annum, payable quarterly. And the salary of the deputy secretary of the commonwealth, shall be nine hundred dollars per annum, payable quarterly.

A motion was made by Mr. Coleman and Mr. Raguet,

To amend the same, by striking from the last line, the words "nine hundred," and by inserting in lieu thereof, the words "one thousand;" which was agreed to.

Whereupon,

On motion,

The Senate adjourned until 11 o'clock to-morrow morning.

**THE SENATE.**

**TUESDAY, January 9, 1821.**

Mr. Conyngham presented four petitions, of similar tenor, from sundry inhabitants of this commonwealth, praying that measures may be adopted for uniting the rivers Susquehanna and Schuylkill by a canal navigation;

And said petitions were read and referred to the committee on roads, bridges and inland navigation.

Mr. Breck presented a petition from the president and directors of the company incorporated for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia, praying that a supplement may be passed to their act of incorporation, to remedy certain evils complained of in said petition;

And the same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Dickerson, from the committee on claims, to whom was referred, on the 20th ult. the petition of George Plice, made report, which was read as follows, to wit:

That the petitioner states that he belonged to a company of artillery belonging to the French army, and that he rendered service to the United States during the revolutionary war, and that he served a tour in the western expedition in the year 1794.

And he further states that he is now confined in the Alms House in the city of Philadelphia.

It appears from the petitioner's own statement that he did not belong to the Pennsylvania line; but that he was in the service of the United States. Your committee are not aware of any instance where a pension has been granted by this state to soldiers of other states;

Therefore,

Resolved, that the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached considered and adopted.

A motion was made by Mr. Conyngham and Mr. Cochran, and read as follows, to wit :

“ Resolved, That a committee be appointed to enquire into the propriety of disposing of the right of the commonwealth to the telescope, purchased in the year 1767, or of having it put in complete repair for the use of the legislature.

Ordered, To lie on the table.

Agreeably to order,

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to the bill, entitled

“An act reducing the pay of the members and officers of the legislature.” pending on the adjournment yesterday.

The third amendment recurring, viz.

“ And be it further enacted by the authority aforesaid, That the salaries of the Auditor General, Surveyor General, State Treasurer and Secretary of the land office shall be respectively one thousand four hundred dollars per annum, payable quarterly. And the salary of the Deputy Secretary of the commonwealth shall be one thousand dollars per annum, payable quarterly;” and having been considered :

On the question,

Will Senate concur in the same ?

The yeas and nays were required by Mr. Barnard and Mr. Power, and are as follow, to wit :

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Dickerson, Eichelberger, Eyster, Feger, Fry, Hubley,	Messrs. Hurst, Markley, M'Meena, Piper, Power, Sawyer, Wallace, Willetts Winter, Marks, Speaker, 20
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Davidson, Grosh,	Messrs. Hill. Leib, M'Mullin, Raguet, Smith, 11

So it was determined in the affirmative.

The fourth amendment, viz.

Introduce a new section as follows, viz.

"Sect. 4, And be it further enacted by the authority aforesaid, that the salary of the Attorney General shall be three hundred dollars per annum, payable quarterly," being under consideration ;

A motion was made by Mr. Hubley and Mr. Coleman,

To amend the same by striking from line 2 the word "three," and by inserting in lieu thereof the word "five," which was not agreed to.

A motion was then made by Mr. Breck and Mr. Cochran,

To postpone the further consideration of said amendment for the present, which was agreed to.

Mr. Coulter and Mr. Sturgeon, a committee from the House of Representatives being introduced, informed the Senate that the chamber of that House is now ready to receive the members of the Senate, in order to go into a joint meeting, for the purpose of electing a State Treasurer for the ensuing year :

Whereupon,

The Senate withdrew to the chamber of the House of Representatives for the purpose aforesaid.

## SAME DAY.

The Senate having returned to their chamber; Mr. Markley teller on behalf of the Senate, to officiate at the election of State Treasurer, made report, which was read as follows, to wit :

That at a meeting of the members of both houses of the legislature, held this day, agreeably to law, in the chamber of the House of Representatives, for the purpose of choosing a State Treasurer, upon ascertaining the votes, it appeared that John B. Trevor was duly elected.

The members present voted as follows, to wit :

### MEMBERS OF SENATE.

FOR RICHARD M. CRAIN.

FOR JOHN B. TREVOR.

Messrs. William Marks, Sp'r,	Messrs. Samuel Breck,
Henry Allshouse,	Cyrus Cadwallader,
Jacob Alter,	Samuel Cochran,

Isaac D. Barnard,  
 Joshua Dickerson,  
 Frederick Eichelberger,  
 Jacob Eyster,  
 Joseph Fry,  
 Henry Hurst,  
 P. S. Markley,  
 John M'Meens,  
 William Piper,  
 Samuel Power,  
 John Sawyer,  
 Robert Smith,  
 Michael Wallace,  
 Henry Winter. 17.

Edward Coleman,  
 Redmond Conyngham,  
 William Davidson,  
 Conrad Feger,  
 Jacob Grosh,  
 Rees Hill,  
 James B. Hubley,  
 Michael Leib,  
 Robert M'Mullen,  
 Condry Raguet,  
 Robert Willett

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### **MEMBERS OF THE HOUSE OF REPRESENTATIVES.**

FOR RICHARD N. CRAIN.

Messrs. Alex'r. Brackenridge,  
 William Connelly,  
 Jonas Dierdorff,  
 Dan Dimmick,  
 Jacob Drinkhouse,  
 Joshua Evans,  
 Henry Fenner,  
 Wm. Fenstermacher,  
 John Fry,  
 James Giffin,  
 John Haas,  
 John Hanna,  
 Jacob Hart,  
 Jacob Herrington,  
 James Kennedy,  
 Simon Kinney,  
 John J. Krause,  
 Joseph Lawrence,  
 George G. Leiper,  
 John Livingston,  
 Joel K. Mann,  
 Thomas M'Call,  
 James M'Clure,  
 Peter Miller,  
 Robert Mitchell,  
 John Mosteller,  
 William Nes,

FOR JOHN B. TREVOR.

William R. Atlee,  
 Thomas Baird,  
 Joseph Barnett,  
 Dan Calwell,  
 Robert Carr,  
 Jacob Cassat,  
 Cornelius Courtwright,  
 Richard Coulter,  
 Robert Crooks,  
 Lewis Dewart,  
 Benjamin Dorrence,  
 Samuel Dunn,  
 James Dyre,  
 John Edwards, jun.  
 George Emlen,  
 James Estep,  
 Chauncey Forward,  
 Benjamin Foulke,  
 George Gernandt,  
 Joseph Good,  
 Matthew Henderson,  
 Joshua Hunt,  
 Thomas Jenks,  
 Samuel Jones,  
 James Kelton,  
 Lynford Lardner,  
 William Lehman,



Robert Orr, jun.  
 Samuel Piper,  
 David R. Porter,  
 John Reed,  
 Dickerson Roberts,  
 Jacob Rugh,  
 Peter Schell,  
 John Scott,  
 Wilson Smyth,  
 William Smith,  
 Jacob Snyder,  
 Peter Storm,  
 James Todd,  
 Isaiah Wells,  
 John Witherow,

Abner Lewis,  
 Charles Lombart,  
 William M'Gill,  
 Arch'd. M'Allister,  
 William M'Cullough,  
 John Musser,  
 Jacob Rahn,  
 Samuel Robins,  
 John Rohrer,  
 William Rutherford,  
 Simon Sallade,  
 Lazarus Stewart,  
 James Stockman,  
 John Stoner,  
 Abraham. F. Stover,  
 Daniel Sturgeon,  
 John Uhler,  
 William Weaver,  
 Stephen Webb,  
 Isaac Weirman,  
 Frederick Wise,  
 George Withers,  
 John Wurts,  
 John Gilmore, Speaker.

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So it appeared that

JOHN B. TREVOR had sixty-six votes.

RICHARD M. CRAIN had fifty-nine votes.

That duplicate certificates of said election have been made out and signed by the speaker of the House of Representatives, as president of the joint meeting.

PHILIP S. MARKLEY,  
*Teller on the part of the  
 Senate.*

D. R. PORTER,  
*Teller on the part of the  
 House of Representatives.*

The clerk of the House of Representatives being introduced presented for concurrence the bill, entitled

"An act to enable Catharine Augusta Newbold and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate;" which was read the first time.

He returned the bills, entitled as follow, to wit :

"A supplement to an act, entitled "An act to provide for the erection of an additional court within the city and county of Lancaster."

"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh, and recording the same."

And informed, that the House of Representatives have passed said bills, the former without, and the latter with amendments, in which the concurrence of Senate is requested.

The amendments to the above bill, were read and laid on the table.

Agreeably to order,

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to the bill, entitled

"An act reducing the pay of the members and officers of the legislature."

The fifth amendment.

Introduce a new section as follows, viz:

"Section 5. And he it further enacted by the authority aforesaid, That the sum of one thousand dollars, be allowed the transcribing clerk of the House of Representatives, as a full compensation for his services in performing all the duties incident to that office;" being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To amend the same, by inserting between the words "dollars" and "be allowed," the words "per annum," and by striking out all that follows the word "Representatives," and by inserting in lieu thereof, the following words, to wit: "and the sum of four hundred dollars per annum, be allowed the transcribing clerk of the Senate, as a full compensation for their services, in performing all the duties incident to their respective offices."

On the question,

Will Senate agree so to amend?

It was determined in the affirmative: and

On the question,

Will Senate concur in said amendment as amended:

It was determined in the negative.

The seventh amendment being under consideration:

On motion,

The Senate adjourned until 11 o'clock to-morrow morning.

### WEDNESDAY, January 10, 1821.

Mr. Grosh presented twelve petitions of similar tenor, from sundry inhabitants of Lancaster county, praying for a repeal of the laws relative to fishing in the river Susquehanna, so far as relates to fishing on certain days therein prohibited, except Sunday: and

Said petitions were read, and referred to Mr. Grosh, Mr. Winter, Mr. Breck, Mr. Leib and Mr. Power,

Mr. Conyngham presented a petition from John Koons, praying to be compensated for certain lands in the seventeen townships, in Luzerne county, certified to Connecticut claimants: and

The same was read and referred to the committee appointed on the subject on the 12th ult.

Mr. Barnard presented a petition from sundry inhabitants of East-Fallowfield township, in the county of Chester, praying that said township may be erected into a separate election district, and that they may be authorised to hold their elections at the house of Robert Young: and

Said petition was read and laid on the table.

The clerk of the House of Representatives being introduced, presented for concurrence, a bill entitled

"A supplement to 'An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned;' passed

He returned the bills, entitled as follow, to wit :

"A supplement to an act, entitled "An act to provide for the erection of an additional court within the city and county of Lancaster."

"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh, and recording the same."

And informed, that the House of Representatives have passed said bills, the former without, and the latter with amendments, in which the concurrence of Senate is requested.

The amendments to the above bill, were read and laid on the table.

Agreeably to order,

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to the bill, entitled

"An act reducing the pay of the members and officers of the legislature."

The fifth amendment.

Introduce a new section as follows, viz:

"Section 5. And he it further enacted by the authority aforesaid, That the sum of one thousand dollars, be allowed the transcribing clerk of the House of Representatives, as a full compensation for his services in performing all the duties incident to that office;" being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To amend the same, by inserting between the words "dollars" and "be allowed," the words "per annum," and by striking out all that follows the word "Representatives," and by inserting in lieu thereof, the following words, to wit: "and the sum of four hundred dollars per annum, be allowed the transcribing clerk of the Senate, as a full compensation for their services, in performing all the duties incident to their respective offices."

On the question,

Will Senate agree so to amend?

It was determined in the affirmative: and

On the question,

Will Senate concur in said amendment as amended:

It was determined in the negative.

The seventh amendment being under consideration:

On motion,

The Senate adjourned until 11 o'clock to-morrow morning.

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Said petitions were read, and referred to Mr. Grosh, Mr. Winter, Mr. Breck, Mr. Leib and Mr. Power,

Mr. Conyngham presented a petition from John Koons, praying to be compensated for certain lands in the seventeen townships, in Luzerne county, certified to Connecticut claimants: and

The same was read and referred to the committee appointed on the subject on the 12th ult.

Mr. Barnard presented a petition from sundry inhabitants of East-Fallowfield township, in the county of Chester, praying that said township may be erected into a separate election district, and that they may be authorised to hold their elections at the house of Robert Young: and

Said petition was read and laid on the table.

The clerk of the House of Representatives being introduced, presented for concurrence, a bill entitled

"A supplement to 'An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned;' passed

the twenty-second day of March, one thousand eight hundred and twenty:" which was read the first time.

He returned the bill, entitled

"An act to refund to James Herrington, money paid by him to Daniel Perkins, for painting the roof of the Arsenal at Meadville."

And informed, that the House of Representatives have passed said bill without amendment.

Mr. Grosh presented a petition from the Anderson's Ferry, Waterford and New-Haven turnpike road company, praying that legislative aid may be granted to said company: and

Said petition was read and laid on the table.

Mr. Raguet presented a remonstrance from the Chamber of Commerce, of the city of Philadelphia, against the passage of a law to continue the present rate of pilotage to and from the port of Philadelphia: and

The same was read and laid on the table.

Mr. Grosh presented a petition from sundry members of a volunteer corps, styled the Marietta Blues, in Lancaster county, praying to be exempted from training on the same days with the militia, and that the fines arising from the non-attendance of its members, may be appropriated to the use of said corps: and

Said petition was read and referred to Mr. Grosh, Mr. Piper and Mr. Hurst.

Mr. Dickerson, from the committee on claims, to whom was referred on the second instant, a petition from John Barnard, made report, which was read as follows, to wit:

~~That the petitioner claims donation land for his services during the revolutionary war.~~

Upon examining the book in the office it appears that the petitioner is not entitled to land:

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

On motion of Mr. M'Means and Mr. Conyngham,

The letter from the auditor general, read on the second in-

stant, relative to the accounts of the treasurer and managers of the Susquehanna lottery, was again read, and referred to Mr. M'Meens, Mr. Hubley and Mr. Wallace.

A motion was made by Mr. Alter and Mr. Allshouse,

They having voted in the majority, to re-consider the vote given on the fourth instant, agreeing to the report of the committee of the whole, disagreeing to the bill from the House of Representatives, entitled

"An act to annul the marriage of John Yerington and Elizabeth his wife;" and

On the question,

Will Senate agree so to re-consider?

It was determined in the affirmative; and

On the question,

Will Senate agree to said report?

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration of the same for the present, which was agreed to.

A motion was made by Mr. Breck and Mr. Power, and read as follows, to wit:

Resolved, That the secretary of the commonwealth be directed to lay before the Senate, a copy of the correspondence between the late governor and the mayor of Savannah, in relation to the sum of ten thousand dollars, authorised by an act of the 24th February, 1820, to be paid to the sufferers, by fire, in that city.

On motion,

Said resolution was read the second time, and the same being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration of the same for the present; which was agreed to.

On motion of Mr. Hill and Mr. M'Meens,

The resolution read on the 28th ult. relative to an executive apartment in the state capital, was again read; and the same having been amended, by striking from the end thereof the following words, to wit:

"As an office in which to transact so much of his official duties as the public convenience and the convenience of the legislature shall require;" was considered and agreed to.

Ordered, That the clerk present said resolution to the House of Representatives for concurrence.

Mr. Conyngham read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act to repeal an act entitled "An act, to authorise any person or persons, owning lands adjoining navigable streams of water, declared public high-ways, to erect dams upon such streams for mills and other water-works;" which was read the first time.

Agreeably to order,

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to the bill entitled

"An act reducing the pay of the members and officers of the legislature;" the same having been under consideration when the Senate adjourned yesterday.

The seventh amendment recurring and being under consideration:

A motion was made by Mr. Leib and Mr. M'Mullin,

To amend the same, by striking from the last line the words "and auditors," and by adding to the end thereof, the words "and the pay of the auditors two dollars per diem;" which was agreed to.

A motion was then made by Mr. Breck and Mr. Cechran,

Further to amend said amendment, by adding to the end thereof the following words, to wit:

"And the treasurer of said county of Philadelphia shall receive for his services, an annual salary of twelve hundred dollars, and no more;" which was agreed to.

On the question,

Will Senate concur in said amendment as amended?

The yeas and nays were required by Mr. Smith and Mr. Piper and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Barnard,  
Breck,  
Coleman,  
Conyngham,

YEAS.

Messrs. Grosh,  
Hubley,  
Hurst,  
Markley,  
Power,



YEAS.	YEAS.
Messrs. Davidson, Eyster, Feger, Fry,	Messrs. Sawyer, Willett, Winter, Marks, speaker. 18.
NAYS.	NAYS.
Messrs. Alter, Cadwallader, Cochran, Dickerson, Eichelberger, Hill, Leib,	Messrs. M'Meens, M'Mullin, Piper, Raguet, Smith, Wallace, 18.

So it was determined in the affirmative.

On motion,

The Senate then resumed the consideration of the fourth amendment, postponed for the present yesterday; and

The question recurring,

Will Senate agree to amend the same, by striking out the word "three," and inserting the word "five?"

The yeas and nays were required by Mr. Piper and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Feger,	Messrs. Grosh, Hubley, Leib, M'Mullin, Raguet, Willett. 18.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Dickerson, Eichelberger,	Messrs. Markley, M'Meens, Piper, Power, Sawyer,

## NAYS.

Messrs. Eyster,  
Fry,  
Hill,  
Hurst,

## NAYS.

Messrs. Smith,  
Wallace,  
Winter,  
Marks, Speaker. 18.

So it was determined in the negative.

A motion was then made by Mr. Hubley and Mr. Coleman,

To amend said amendment, by striking therefrom, all that follows the word "that," and by inserting in lieu thereof, the following words, to wit:

"No salary shall be allowed to the attorney general, but he shall be entitled to receive from this commonwealth, an adequate compensation for his opinions and services, in all cases in which the commonwealth is interested; and his claims therefor, shall be settled and adjusted by the accounting officers, in the same manner as in other cases."

On the question,

Will Senate agree so to amend?

The yeas and nays were required by Mr. Hubley and Mr. Coleman, and are as follow, to wit:

## YEAS.

Messrs. Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Feger,

## YEAS.

Messrs. Grosh,  
Hubley,  
Leib,  
M'Mullin,  
Raguet,  
Willett.

19.

## NAYS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Dickerson,  
Eichelberger,  
Eyster,  
Fry,  
Hill,  
Hurst,

## NAYS.

Messrs. Markley,  
M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker. 18.

So it was determined in the negative.

A motion was then made by Mr. Hubley and Mr. Leib,

To amend said amendment, by striking therefrom, all that follows the word "that," and by inserting in lieu thereof, the following, to wit:

"So much of the first section of the act of the general assembly, passed the 13th of April, 1791; entitled "An act to provide for the support of the Government of this commonwealth," as provides, that the attorney general, shall be entitled to receive from this commonwealth, the sum of two hundred and fifty pounds per annum, be and the same is hereby repealed."

On the question,

Will Senate agree so to amend?

A division of the question was called for by Mr. Dickerson, to end with striking out; and

On the question,

Will Senate agree so to strike out?

On motion,

The Senate adjourned until 11 o'clock to-morrow morning.

## THURSDAY, January 11, 1821.

The speaker laid before the Senate a letter from J. Tagert, together with the statements therein referred to; which were read as follows, to wit:

*Farmers' and Mechanics' Bank,  
Philadelphia, January 9, 1821.*

SIR,

In compliance with the resolution of the Senate, of December 22, 1820, I enclose exhibits of the state of this bank, on the first Monday of November, 1820, and on the first instant.

Respectfully,

Your's,

J. TAGERT, *President.*

*William Marks Jun. Esq. }  
Speaker of the Senate. }*

# STATE OF THE FARMERS' & MECHANICS' BANK—No. vember 6, 1820.

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JOURNAL OF

Amount of capital,	1,250,000	Bonds and notes discounted; outstanding,	81,644,867
Notes in circulation,	309,550	United States 6 per cent. stock,	344,426
Due to banks in the city,	74,193		20,458
Do. other banks,	90,335	stock,	10,350
Dividends unclaimed,	8,686	ot,	49,226
Deposits, including contingent fund,	1,006,442	near estate,	9,700
		Amount due from banks of the city and	
		Northern Liberties,	118,998
		Do. other banks,	8100,593
		Of notes of do. on hand,	51,670
		Specie on hand,	151,999
			993,512
			<u>82,739,906</u>
			<u>82,739,906</u>

A considerable amount of notes lying over, unpaid, it is impossible to form a satisfactory estimate of the contingent fund.

Philadelphia, January 9, 1821.

HENRY KUHL, Cashier.

# STATE OF THE FARMERS' & MECHANICS' BANK—January 1, 1824.

Amount of capital,	1,250,000	Bonds and notes discounted, outstanding,	1,673,055
Notes in circulation,	509,535	United States' six per cent. stock,	344,426
Due to banks in the city and		Stock of this bank,	20,468
Northern Liberties,	93,547	Turnpike and bridge stock,	10,950
Do. other banks,	79,610	lot,	45,286
Dividends unpaid, including that payable		Real estate,	9,700
on the 11th inst,	45,148	Amount due from banks in the city,	41,416
Deposits, including contingent fund,	938,737	Do. other banks,	158,870
		Of notes on hand,	17,016
		Specie on hand,	175,886
			391,390
			<u>82,716,577</u>

20

A considerable amount of notes lying over, unpaid, it is impossible to form a satisfactory estimate of the contingent fund.

HENRY KUHL, Cashier.

Philadelphia, January 9, 1824.

Ordered, To lie on the table.

Mr. Eichelberger presented a petition from sundry inhabitants of the counties of York and Adams, praying that a law may be passed, to authorise the appointment of three commissioners, to lay out a state road from Isaac Bower's, in Washington township, York county, to intersect the Berlin turnpike, at the Conewago bridge, in Adams county: and

Said petition was read and referred to the committee on roads, bridges and inland navigation.

Mr. Fry presented two petitions of similar tenor, from sundry inhabitants of this commonwealth, praying for the passage of a law to establish a loan office: and

The same were read and laid on the table.

The clerk of the House of Representatives being introduced, presented for concurrence three bills, entitled as follow, viz:

"An act authorising a public ferry on the north branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof, in William Kelly, his heirs and assigns."

"An act vesting a title to thirty acres of land in Upper Mahanoy township, Northumberland county, in certain trustees and their successors, for the benefit of the congregation composed of Presbyterians and Lutherans."

"An act to incorporate the proprietors of the Philadelphia Museum."

Said bills were severally read the first time.

Mr. Coleman presented a petition from the minister, elders and church-wardens, of the German Lutheran Congregation, in the city of Lancaster, praying to be authorised to elect three additional wardens: and

The same was read and referred to Mr. Coleman, Mr. Cadwallader and Mr. Alter.

Mr. Raguet presented a petition from sundry inhabitants of the city of Philadelphia, praying that the auctioneers in said city, may be authorised to hold sales of groceries and other bulky articles, in the streets in front of their auction stores: and

The same was read and referred to the members from the city and county of Philadelphia.

On motion of Mr. Breck and Mr. Cadwallader,

Mr. Hill, Mr. Hurst, Mr. Willett and Mr. Barnard, were added to the committee appointed on the 7th ult. on the petition of the Pennsylvania Institution for the Deaf and Dumb.

Mr. M'Meens from the committee to whom was referred on the second instant, the petition of the inhabitants of M'Kean and Potter counties, on leave given, reported a bill, entitled

"A supplement to an act entitled "An act provisionally organizing the counties of M'Kean and Potter, and for other purposes;" which was read the first time.

On motion of Mr. Davidson and Mr. Eichelberger,

Ordered, That when Senate adjourns, it will adjourn until ten o'clock to-morrow morning, and that that be the standing hour of meeting, on the morning of each day, until otherwise ordered.

On motion of Mr. Breck and Mr. Power,

The Senate proceeded to the second reading and consideration of the resolution relative to the transmission of ten thousand dollars, to the mayor of the city of Savanna, read yesterday; and the same being under consideration:

A motion was made by Mr. Davidson and Mr. Leib,

To amend the same, by inserting after the word "correspondence," the words "if on file in his office that took place;" which was not agreed to; and

On the question,

Will the Senate agree to said resolution?

It was determined in the affirmative.

On motion of Mr. Conyngham and Mr. Willett,

The resolution read on the 30th ult; relative to a State Reporter; was again read, considered and disagreed to.

A motion was made by Mr. Barnard and Mr. Eichelberger, and read as follows, to wit:

Resolved, That the committee on the judiciary system, be instructed to enquire into the expediency of so amending the laws, giving jurisdiction to justices of the peace, as to substitute absolute bail for the payment of the money, for the special bail now required to be given by defendants, for stay of execution after judgment.

Ordered to lie on the table.

Agreeably to order,

The Senate resumed the consideration of the amendments by the House of Representatives, to the bill entitled

"An act reducing the pay of the members and officers of the legislature;" the same having been under consideration when the Senate adjourned yesterday.

The question recurring,

Will the Senate agree to strike out all that follows the word "that," in the fourth amendment?

The yeas and nays were required by Mr. Davidson and Mr. Winter, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Feger,	Messrs. Grosh, Hubley, Leib, M'Mullin, Raguet, Willett.
	13.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Eichelberger, Eyster, Fry, Hill, Hurst, Markley,	Messrs. M'Meens, Piper, Power, Sawyer, Smith, Wallace, Winter, Marks, Speaker.
	17.

So it was determined in the negative; and

On the question,

Will the Senate concur in said amendment, viz:

"That the salary of the attorney general, shall be three hundred dollars per annum, payable quarterly.

The yeas and nays were required by Mr. M'Meens and Mr. Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Eichelberger, Eyster, Fry,	Messrs. Hill, Hurst, Markley, M'Meens, Piper, Power,



YEAS.	YEAS.
Messrs. Sawyer, Smith, Wallace,	Messrs. Winter, Marks, Speaker.
	17.
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Feger,	Messrs. Grosh, Hubley, Leib, M <sup>2</sup> Mullin, Raguet, Willett.
	13.

So it was determined in the affirmative.

The remaining amendments were severally considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion,

The amendments by the House of Representatives, to the bill entitled

“An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh and recording the same;” read on the 9th instant, were again read, considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Davidson and Mr. Grosh,

The Senate again resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

“A supplement to an act entitled “An act to provide for the erection of a house of employment and support of the poor, in the county of Franklin;” passed the 11th day of March, A. D. 1807.

And after some time,

The committee rose and reported said bill with amendments, which were read.

On motion,

Said bill was read the second time.

The section was considered and agreed to.

The title was agreed to after being amended to read as follows, to wit:

"An act requiring directors of the poor to publish their respective accounts annually."

Ordered, That said bill be prepared for a third reading

On motion of Mr. Piper and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill from the House of Representatives, entitled

"An act to erect the town of Berlin, in Somerset county, into a borough."

And after some time,

The committee rose and reported said bill with amendments, which were read.

On motion,

The Senate resolved itself into a committee of the whole, Mr. Markley in the chair, on the bill from the House of Representatives, entitled

"An act authorising the secretary of the commonwealth, to purchase one hundred copies of Purdon's Digest of the Laws of Pennsylvania."

And after some time,

The committee rose and reported said bill without amendment.

Adjourned until 10 o'clock to-morrow morning.

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FRIDAY, January 12, 1821.

The speaker laid before the Senate a statement of the affairs of the Ridge Turnpike Company; which was read as follows, to wit:

*Statement of the affairs of the Ridge Turnpike Company, for the year 1820.*

Balance in treasurer's hands, January 1st, 1820, \$237 07

*Receipts since.*

Tolls,	\$10,865 16	
Fines for evasion of toll,	5 00	
Certificate of debt, issued in payment of arrearages of interest,	360 00	
	<hr/>	11,170 16
		<hr/>
		11,407 83

*Payments.*

To superintendant, for repairs,	\$3,975 50	
Salaries—gate keepers, treasurer and superintendant,	2,702 23	
Interest on certificates of debt and bond,	\$3,815 20	
Do do. paid in certificate,	360 00	
Expenses,	<hr/>	9,989 81

Balance in treasurer's hands, 1,418 02

*Debts.*

Certificates of debt and bonds,	107,850 00
Notes at Philadelphia bank,	13,00 00
Balance of amount for finishing road, exclusive of interest,	2,820 00
Old arrearages of interest,	3,969 00
Interest for year 1820, including same for year 1819,	7,232 46
	<hr/>
	184,861 46

Also due by superintendant, for materials and laborers, as per his report, 1,487 02

*THOMAS H. WHITE, Treasurer.*

*E. E. Philadelphia, January 1st, 1821.*

*City of Philadelphia, January 5th, 1821.*

Before me, Abraham Shoemaker, alderman for the city of Philadelphia, personally appeared Thomas H. White, who being duly sworn, declares the above to be a true statement of the receipts and payments by the Ridge Turnpike Company for the last year, and of the debts owing by the same.

*THOMAS H. WHITE, Treasurer.*

Sworn and subscribed this 5th January, 1821, before me

*ABM. SHOEMAKER, Alderman.*

Ordered, To lie on the table.

Mr. Winter presented a petition from sundry inhabitants of this commonwealth, praying for the passage of a law to authorise the establishment of a Loan Office; and

The same was read and laid on the table.

Mr. Hill presented a petition from sundry inhabitants of Greene county, praying that a sum of money, not less than eight thousand dollars may be appropriated towards the improvement of the state road, laid out from the Monongahela river to the Virginia line, in a direction to the Flats of Grave Creek, on the Ohio river: and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Barnard presented a petition from sundry inhabitants of Vincent township, in Chester county, praying that said township may be erected into a separate election district; and that the elections may be held at the house of Abraham Crater, and Said petition was read and laid on the table.

Mr. Conyngham from the committee to whom was referred on the 10th instant, a petition from John Koons, on leave given, reported a bill entitled

"An act granting compensation to John Koons, for tracts of land certified to Connecticut Claimants, in the seventeen townships of the county of Luzerne;" which was read the first time.

The bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin:" passed the 11th day of March, A. D. one thousand eight hundred and seven;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act to erect the town of Berlin, in Somerset county, into a borough;" was read the second time as reported by a committee of the whole yesterday.

The sections were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Piper and Mr. Raguet,

To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

The bill from the House of Representatives, entitled

"An act authorising the secretary of the commonwealth, to purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Breck and Mr. Dickerson,

To amend the same, by striking from line seven the words "fifty cents;" which was agreed to.

A motion was then made by Mr. Barnard and Mr. Alter,

Further to amend said section, by striking from line five the words "one hundred," and by inserting in lieu thereof, the words "twenty-five," and by inserting after the words "Pennsylvania," in line six, the following words, to wit: "to be deposited in the chambers of the two houses, for the use of the members thereof."

On the question,

Will Senate agree so to amend?

A motion was made by Mr. Hill and Mr. M'Meens,

To postpone the further consideration of said question, together with the section and bill, for the present: which was agreed to.

On motion of Mr. Dickerson and Mr. Wallace,

The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers."

And after some time,

The committee rose and reported said bill with amendments, which were read.

On motion of Mr. Dickerson and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Wallace in the chair, on the bill from the House of Representatives, entitled

"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve."

**Ordered; To lie on the table.**

Mr. Winter presented a petition from sundry inhabitants of this commonwealth, praying for the passage of a law to authorise the establishment of a Loan Office; and

The same was read and laid on the table.

Mr. Hill presented a petition from sundry inhabitants of Greene county, praying that a sum of money, not less than eight thousand dollars may be appropriated towards the improvement of the state road, laid out from the Monongahela river to the Virginia line, in a direction to the Flats of Grave Creek, on the Ohio river: and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Barnard presented a petition from sundry inhabitants of Vincent township, in Chester county, praying that said township may be erected into a separate election district; and that the elections may be held at the house of Abraham Crater, and

Said petition was read and laid on the table.

Mr. Conyngham from the committee to whom was referred on the 10th instant, a petition from John Koons, on leave given, reported a bill entitled

"An act granting compensation to John Koons, for tracts of land certified to Connecticut Claimants, in the seventeen townships of the county of Luzerne;" which was read the first time.

The bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to provide for the erection of a house for the employment and support of the poor; in the county of Franklin;" passed the 11th day of March, A. D. one thousand eight hundred and seven;" was read the third time; and

**Resolved, That it pass.**

**Ordered,** That the clerk return said bill to the House of Representatives, with information that Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act to erect the town of Berlin, in Somerset county, into a borough;" was read the second time as reported by a committee of the whole yesterday.

The sections were severally considered and agreed to.

The title being under consideration,

A motion was made by Mr. Piper and Mr. Raguet,

To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

The bill from the House of Representatives, entitled

"An act authorising the secretary of the commonwealth, to purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Breck and Mr. Dickerson,

To amend the same, by striking from line seven the words "fifty cents;" which was agreed to.

A motion was then made by Mr. Barnard and Mr. Alter,

Further to amend said section, by striking from line five the words "one hundred," and by inserting in lieu thereof, the words "twenty-five," and by inserting after the words "Pennsylvania," in line six, the following words, to wit: "to be deposited in the chambers of the two houses, for the use of the members thereof."

On the question,

Will Senate agree so to amend?

A motion was made by Mr. Hill and Mr. M'Meens,

To postpone the further consideration of said question, together with the section and bill, for the present: which was agreed to.

On motion of Mr. Dickerson and Mr. Wallace,

The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers."

And after some time,

The committee rose and reported said bill with amendments, which were read.

On motion of Mr. Dickerson and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Wallace in the chair, on the bill from the House of Representatives, entitled

"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve."

# STATE OF THE BANK OF PENNSYLVANIA—January 8, 1821.

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JOURNAL OF

Dr.

Or.

To bills discounted,	2,987,592 23		2,509,000
United States' six per cent. stock,	330,759 52		525,294 81
Loans to commonwealth of Pennsylvania,	330,000		8,701
Corporation of Philadelphia,	94,000		75,000
Real estate,	53,638 82	St. Pennsylvania,	2,948 86
Due by other banks,	372,449 60	Other banks,	967,906 39
Notes of other banks,	150,903 41	Individual depositors,	1,272,159 73
Specie,	563,350 46	Discounts,	4,121 49
		Profit and loss,	226,563 77
			<u>84,882,696 04</u>
	<u>84,882,696 04</u>		

The banking houses in Philadelphia, Lancaster, Reading and Easton, cost \$283,738 05, which sum is not included in the above statement, as the amount has long since been paid out of the surplus funds of the institution.

Bank of Pennsylvania, Jan. 11, 1821.

E. E.

E. CHAUNCEY, Cashier.



**Ordered, To lie on the table.**

**On motion of Mr. Raguet and Mr. Davidson,**

**Ordered, That the usual number of copies of the foregoing statements, together with the statements from the Farmers and Mechanics bank, read on the 11th instant, be printed for the use of the members.**

**Mr. Breck presented a petition from sundry inhabitants of the district of Southwark, praying that a law may be passed to authorise the vacation of Washington street, as laid out in the plan of said district; and**

**The same was read and referred to the members from the city and county of Philadelphia.**

**Mr. Breck presented two petitions of similar tenor, from sundry inhabitants of the city of Philadelphia, praying that a law may be passed to repeal the second section of the act entitled "An act relating to auctioneers," and to revive so much of the third section of the act entitled "An act to alter and amend an act entitled "An act, for the effectual suppression of public auctions and vendues, and to prohibit all persons capable of bearing arms, from being hawkers and pedlars," as gives the auctioneers the sole power of selling by public outcry or vendue, real estates or household furniture, and wearing apparel or ships or vessels; and**

**Said petitions were read and laid on the table.**

**Mr. Barnard presented a petition from sundry inhabitants of this commonwealth, praying for the passage of a law to repeal the laws which prohibit imprisonment for debt; and**

**The same was read and referred to the committee on the judiciary system.**

**Mr. Winter presented a petition from sundry inhabitants of Northampton county, praying for the erection of a new county out of part of Northampton; and**

**The same was read and referred to Mr. Winter, Mr. Cochran and Mr. Dickerson.**

**Mr. Willett presented a petition from Eve Lorentz, the widow of an old soldier, praying to be placed on the pension list; and**

**The same was read and referred to the committee on claims.**

**The bill from the House of Representatives, entitled**

**"An act for the relief of Joseph Reed and John Morrison, old soldiers,;" was read the second time as reported by a committee of the whole yesterday.**

**Section one being under consideration,**

A motion was made by Mr. Smith and Mr. Cochran,  
To amend the same, by striking from lines four and five, the words, "and to John Morrison, of Huntingdon county."

On the question,  
Will the Senate agree so to amend?

A motion was made by Mr. Davidson and Mr. Hurst,  
To postpone the further consideration of the same, together with the section and bill, until the 3d of February next.

Mr. M'Meens obtained leave to withdraw from the files of the last session, the petition and documents of Robert Hamilton.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill from the House of Representatives, entitled

"An act to enable Catharine Augusta Newbold and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns."

And after some time,

The committee rose, reported progress, and obtained leave to sit again on Monday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill from the House of Representatives, entitled

"An act vesting a title to thirty acres of land, in Upper Mahoney township, Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday the 21st inst.

The speaker laid before the Senate a letter from the secretary of the commonwealth, transmitting a statement of escheats filed in his office in obedience to a resolution passed on the 28th instant; and

The same was read and referred to Mr. Conyngnam, Mr. Markley and Mr. Feger.

Adjourned until 11 o'clock on Monday morning.



## MONDAY, January 15, 1821.

The speaker laid before the Senate a letter from the Auditor General, together with the reports therein mentioned, which were read as follows, to wit:

*Auditor General's Office, 15th Jan. 1821.*

SIR,

The enclosed copy of the report of the president and managers of the Mercer and Meadville turnpike road, also the report of the president of the Berks and Dauphin turnpike road, are respectfully submitted to the Senate, in conformity with the 46th section of the act of the 24th March, 1817, entitled "An act making appropriations for internal improvements."

Very respectfully,

Your most obedient servant,

GEO. BRYAN

*To the honorable the speaker of }  
the Senate of Pennsylvania. }*

*To the Auditor General of the Commonwealth of Pennsylvania.*

The president and managers of the Mercer and Meadville turnpike road company, respectfully report to you, a statement of the affairs of said company, for the present year, as follows.

Stock subscribed by the state,	\$11,666 67
Do. do. by individuals,	18,025 00
	<hr/>
Total amount,	\$29,691 67

Of the above amount subscribed by individuals, a considerable sum is now unavoidably lost, and it is probable a considerable sum more will be lost.

Amount of contracts for making twenty-six miles of the road, which work is now finished, including extra work done on the same, and all contingent expenses,	28,060 10½
Amount paid to contractors and for extra work done, up to this date, and contingent expenses up to the first Monday of May last,	17,775 66½
Balance appearing due contractors,	10,284 44

As much work has been done during the past year, and considerable payments made in various ways, and the settlements not yet closed, the managers cannot state the precise sum due, but it is believed when the balance yet due from the state, for the work done is paid, and what is in train for collection off subscribers is received, and the settlements closed, the balance will be nearly or quite extinguished.

As a license to take toll on ten miles of the road has been obtained, and a license for ten miles more is daily expected, arrangements are making for erecting gates for receiving toll.

All which is respectfully submitted.

AARON HACKNEY, *President of the  
Mercer and Meadville turnpike road company.*

Attest—JOSEPH SMITH, *Secretary.*

December 30th, 1820.

Correctly copied,

GEO. BRYAN, *A. G.*

*Account of monies received and paid by the President, Managers and Company of the Berks and Dauphin Turnpike Road, commencing at the river Schuylkill, as well as of the amount of stock subscribed by the state and individuals; as also of the money yet due by the state and individuals to the said company, and debts due and owing by the said company to individuals.*

Imprimis.—To cash received of individuals on account of their stock subscribed, up to 1st January, A. D. 1821,

\$62,608 15

To cash received of the state on account of 300 shares,	\$12,674 26
To amount of toll received up to the first of January, A. D. 1821,	16,351 78
To stock not yet paid by individuals,	6,895 66
To stock not yet paid by the state,	2,325 74
To stock subscribed by the citizens of Philadelphia and paid,	\$1,124 59
To ditto, not yet paid,	375 41
	<hr/> 1,500 00
	<hr/> \$102,355 59
To present debt,	24,931 49
	<hr/> 127,287 03
Money yet required to complete the road,	28,497 10
	<hr/> 155,784 13
By cash laid out and expended in making the first three sections of 5 miles each, in the year 1816,	54,091 00
By cash laid out in making the other three sections of five miles each, in the year 1817,	55,739 00
By ditto, in wing walls, bridges and culverts,	2,653 18
By ditto, in repairs up to first January, 1821,	1,678 85
By ditto, in building bridges in the summer of 1818,	525 00
By ditto, in making another section of five miles, in the years 1819 and 1820,	12,600
	<hr/> 127,287 03
By cash yet required to finish the road (as estimated),	28,497 10
	<hr/> 155,784 13

JOHN B. WEIDMAN, *Treasurer.*

January 1st, 1821.

Correctly copied,

GEO. BRYAN, *A. G.*

Ordered, To lie on the table.

Mr. Davidson presented a petition from sundry inhabitants of the borough of Connellsville, praying that said borough and a small part of the adjacent country, may be erected into a new township; and

The same was read and referred to Mr. Davidson, Mr. Eichberger and Mr. M'Mullin.

Mr. Breck presented a petition from the Select and Common Councils of the city of Philadelphia, praying that a law may be passed to vest in the Mayor's Court, exclusively, the authority to lay out streets, lanes and alley's within said city, or to prevent the court of Quarter Sessions from acting on any petition for opening a street, lane or alley over the public squares; and

Said petition was read and referred to the members from the city and county of Philadelphia.

Mr. Barnard presented eight remonstrances of similar tenor from sundry inhabitants of Delaware county, against annexing part of the townships of Birmingham and Thornbury to the county of Chester; and

The same were read and referred to Mr. Barnard, Mr. Breck and Mr. Eichelberger.

Mr. Barnard also presented a petition from sundry inhabitants of this commonwealth, praying that a law may be passed to authorise the construction of a Canal Navigation, between the rivers Susquehanna and Schuylkill; and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Breck, from the committee to whom was referred on the 2d instant, the petition of the inhabitants of the counties of M'Kean and Potter, representing that they labor under great inconvenience and difficulty, on account of certain obstructions put by some of the inhabitants of the state of New-York, into the navigable streams running out of these counties into the said state, made report; which was read as follows, to wit.

That the petitioners complain of grievances which cannot be remedied by this legislature, inasmuch as the obstructions alluded to are not within the limits of this commonwealth; that the legislature of New-York, as the petitioners allege, has neglected to afford them relief, and that the extent and importance of these obstructions, as represented to your committee by the said petitioners, may be classed as follows:

First.—A mill-dam, six feet high, across the Allegheny river, built and kept up by William Pinkerton and Jacob Downing, about one mile and a half below the state line, at a place where the waters, owing to its sluggish nature, is backed upwards of twelve miles, and overflows a considerable quantity of land, so as to endanger, very seriously, the health and comfort of those who reside on the banks of the river, and wholly to impede the passage of rafts and boats, except in very high freshets.

**Second.**—A mill-dam across the same river about six miles below the state line, built two years ago, by Allen Rice, and from which considerable injury has been sustained by the inhabitants living above the same, as well as by emigrants passing down the river.

**Third.**—A mill-dam, across the Oswego Creek, near its mouth, kept up by Elias Williams, which entirely obstructs all navigation, except the passage downwards in high freshets, and is frequently the occasion of great detention and injury.

**Fourth.**—Another mill-dam across the same creek, kept up by William Pinkerton, William Kenard and Ezra Mead, at which great loss of time and property have frequently been sustained.

It must be noted that there are small locks for the passage of small boats, at two of these dams; yet, from the badness of their construction and negligence of the owners, they answer, as the petitioners state, no very good purposes; for besides the obstructions which these dams occasion, they are all erected, say the petitioners, for the sole purpose of sawing lumber, and the owners, by throwing slabs into the water, create drift-wood and bars, and thereby greatly injure the navigation.

These are the grievances complained of: they cannot be remedied by this legislature. Recourse must be had to the legislature of New-York, and in order to procure the redress prayed for, your committee recommend the adoption of the following resolution:

Resolved, by the Senate and House of Representatives of the commonwealth of Pennsylvania, in general assembly met, That the Governor be, and he is hereby authorised and required to correspond with the Governor of the state of New-York, upon the subject of these grievances, and to request him to take such measures as he may deem best calculated to give early and reasonable satisfaction to the aggrieved petitioners.

Ordered, To lie on the table.

Mr. M'Meens, from the committee appointed for the purpose, on the 5th instant, reported a bill entitled

“A supplement to the act entitled “An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under the United States,” passed the 12th of February, 1802;” which was read the first time.

Mr. Breck, from the committee to whom was referred on the 4th instant, a petition from sundry inhabitants of Chester county, on leave given, reported a bill entitled

"An act authorising a state road from West-Chester to the Maryland line, in a direction to Conowingo bridge;" which was read the first time.

Mr. Breck, from the committee on roads, bridges and inland navigation, reported a bill entitled

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill;" which was read the first time.

Mr. Raguet from the committee appointed for the purpose on the 4th instant, made report, which was read as follows, to wit:

THE committee appointed by the Senate on the 4th instant, "To enquire into the expediency of renewing any or all of the charters of the banks incorporated by law, as they shall severally expire, and to suggest such amendments, as may in their opinion be calculated to promote the public good, if introduced into all such charters, as it may hereafter be deemed advisable to renew:" beg leave to report:—

The numerous evils which have been inflicted upon the people of the United States, within the last few years, by the abuses of the banking system, make a strong appeal to the feelings as well as to the understandings of those, who are invested with the power of legislation; and imperiously demand of them, so to direct their attention to the subject as that their constituents may not again be visited by so destructive a calamity as that which has lately involved so many thousands in irretrievable ruin.—Your committee are aware of the difficulties with which this subject is surrounded—of the conflicting opinions in relation to it, entertained by our most respectable citizens—and of the impracticability of their being able so to elucidate the question, as to carry conviction to the minds of all. They flatter themselves however, that they have it in their power to advance some principles connected with the matter referred to them, which, if adopted by the legislature, will in a great degree, if not effectually, guard the community against the inordinate and dangerous influence of monied institutions. The present moment is one peculiarly adapted for a cool, dispassionate investigation of this momentous subject. Some of the banks, whose charters will expire in the years 1824 and 1825, have *already* made application for renewals of their charters, and as the public mind is in a great degree divested of those tumultuous passions, which during the pressure arising from the rapid reduction of bank loans, every where prevailed, our citizens can now soberly reflect upon their condition and deliberately judge of the true merits of the case.



An opinion is almost universally entertained,

That banks are useful to the public, inasmuch as they afford facilities in the safe-keeping of money, in the payment of large sums by checks or transfers on their books—in the transmission of funds—in the furnishing of a convenient and portable currency—and in the loaning of money to merchants, farmers and others who have occasion to borrow.

That they encrease the *capital* of the community by the emission of their notes, and afford facilities to borrowers which could not exist without them—and

That they improve the country wherever they are located, as is exemplified in the number of turnpike roads, bridges, houses and barns, which have of late been constructed.

How far these positions are true or incorrect will appear in the course of the following remarks: The first point to be attained, is to have a clear analytical view of the nature of banks, and of the *distinct operations* which they are capable of performing, for unless these be properly understood, the mind will necessarily be confused, and the conclusions drawn as to their beneficial or injurious tendency will assuredly be unsound.

Banks may be of *three different kinds*, which are designated thus:—banks of *deposit*, banks of *discount*, and banks of *circulation*, the particular properties of which are wholly dissimilar, as well as relates to their uses, as to their influence upon the public prosperity.

A *bank of deposit* is an institution established under the guarantee of a state, or of one or more individuals, *solely* for the deposit and safe-keeping of money, wherein each person who makes a deposit, has credit on the books of the bank for the amount of the same, which amount he can again at pleasure draw out, or transfer by a check or order, to the credit of another. Of the utility and convenience of such an institution, no one can entertain a doubt. It is calculated to protect the coin or bullion of the community, from the losses incident to fire or pillage, and enables merchants and others to settle extensive cash transactions without the labor of counting, or the expenses and risk attendant upon the transportation of coin from place to place. Such a bank might even issue notes for public convenience, without producing any prejudicial effect upon the currency, *provided* that such notes were mere *certificates* that corresponding sums had been deposited in the bank, in coin, which were always subject to the demand of the holders. The only objection against the establishment of a bank of this description is, that it could not be supported without a small contribution from each deposit and transfer, and such an expense,

would not perhaps be willingly borne by our citizens at the present day. The State, indeed, might make an appropriation for such a purpose, but the present is not possibly a period, when such a measure is required.

*A bank of discount* is an institution established by an individual, or a number of capitalists, *who have money to loan*, and who associate themselves together for the purpose of finding a more ready market for their capital, or of saving themselves the trouble of looking out for borrowers. As the loans of such a bank are limited to the *actual amount of its capital*, its operations are entirely favorable to the interests of the community. As it makes no addition to the circulating medium by the emission of its notes or credits it has no tendency to depreciate the currency, and as it keeps in constant activity a considerable amount of capital which would otherwise lie unemployed in the hands of its owners, it may be considered as instrumental in the promotion of national wealth.

If the operations of the banks in Pennsylvania and in the other states of the union, were limited to those above described—if they would afford facilities in the depositing, safe-keeping and transferring of money as *banks of deposit*, and as *banks of discount* confine their loans to their absolute capital, [without in either case issuing any note but what should be the *true representative* of gold and silver in their vaults, then your committee would unite in regarding them as national blessings, worthy of legislative protection, and entitled to the support and confidence of the public. But unfortunately the emoluments resulting from a mere loan of their *capitals*, do not constitute in our country a sufficient inducement for the establishment of banks. The expenses of management consume a portion of their profits, and a resort is had to the expedient of creating a revenue from the *lending of credit*, at the same annual interest as is derived from the *loaning of capital*. This gives rise to the *third* species of bank which has been enumerated.

*A bank of circulation* is one, which in addition to its capital, undertakes to loan its *credit*, either in the form of credits on its books or of bank notes, which are promises to pay *on demand*, certain quantities of gold and silver. *All the banks in the United States are of this description*, and it is this particular branch of their operations which has occasioned all the calamities which have been ascribed to *the banking system*. Your committee do not wish to be understood as declaring that the power of lending its *credit* may not be exercised *to a certain extent*, with advantage to the public. If a bank be established in a community where coin alone had before constituted the currency, the credit given to its notes may enable them to sup-

ply the place of *a part* of the coin, which may then be sent abroad as commercial capital, and be thus rendered productive of profit, instead of being retained at home in the unprofitable employment of circulation. If the paper credits emitted by the banks, do not exceed the quantity of coin displaced by them, or in other words, if the quantity of coin and convertible paper *united*, does not exceed the quantity of coin which would circulate, if there was no paper, then there is no evil resulting from the exercise of the power to loan credit. But so strong are the temptations to overtrade, grounded in a desire to elevate the price of stock by declaring exorbitant dividends, and so pernicious the consequences which result to the community, from the existence, in the hands of any set of men, of a power to contract or expand the currency at pleasure, *which is virtually the power of altering at will the value of every citizen's property*, that the most approved writers on public economy unite in the declaration, that the evils attendant upon banks of circulation so far outweigh all their advantages, that that nation will be the most happy and prosperous which has the least to do with them. To render this position more intelligible your committee subjoin the following remarks.

The total quantity of gold and silver in the trading world, in the course of a peaceful intercourse between nations, becomes distributed amongst them all, in the proportions called for by their population, commerce and other relative circumstances.— Each nation, which possesses the means of paying for it, will have its share, and neither government or people need be under any apprehension, least they may not receive that quantity which will place their currency upon a level with the average currencies of other countries. When the currency of a country is composed entirely of coin, it is then the most sound and invariable, of which the nature of things will admit. It is then subject to no fluctuations but those which arise from the increase or diminution of the quantity of the precious metals throughout the world, which can never be rapid, and upon those general laws of supply and demand, which are the sure regulators of value. The prices of property and commodities under such circumstances, remain steady for long periods together. Speculative fortunes are rarely heard of, and the mass of the people, aware that *industry* is the only legitimate source of wealth, apply themselves to their respective employments, and depend upon their *labour*, not upon *chance*, for support. Such would be the state of things, even if there were *banks of deposit and discount*. As no power of creating *artificial* money, of investing a *shadow* with the appearance of *substance*, would any where exist, the solidity of the currency would not be disturbed; for after

the organization of such banks, there would be neither more nor less money in the community than there was *before*. Such might even be the state of things if the *circulating* power was exercised to the extent we have prescribed, but only permit the boundary of prudence to be passed, and there is an end to stability. Houses, lands, commodities and produce are alike cast upon the waves of speculation. The price of to-day is no criterion for the price of to-morrow, and the community instead of having solid ground to move upon, resemble travellers treading upon quicksands, which threaten every moment to swallow them up.

So soon as bank notes or credits are issued beyond the point we have designated, the currency becomes depreciated from excess, below the currencies of other countries, inasmuch as we then have more coin and paper united, than the proportion which is required to maintain it at its proper level. With the depreciation of money, the *nominal* prices of property and commodities experience a rise, which having the *appearance* of a real enhancement of *value*, deceives the community, and invites to all the speculation, overtrading and imprudence, which are ever attendant upon fluctuations. The coin, soon finding itself involved in the depreciation brought on by an excess of paper, leaves the country, in order to seek abroad that value to which it is fairly entitled and which it can no longer command at home. Export follows export, and the encreasing demand made upon the banks by the returning of their notes for payment, finally compels them to make unexpected and urgent calls upon their debtors, which are followed by a general fall of prices to a point below what they originally stood at. Lands which before had been elevated to an artificial height, are suddenly depressed below their former price. Agricultural produce, merchandise and other commodities experience the same reduction, and a stagnation of trade, a suspension of industry, an unsettled state in the pursuits of the whole community, and the ruin of thousands are the inevitable consequence. All these effects may take place from the over-trading of banks, even whilst they shall be enabled to meet the payment of their notes in coin, but they will be experienced in their most destructive stages, when a suspension of payment is the result of their imprudence and mismanagement. *Against such suspension the public has no guarantee, but in the imposition of the most rigorous restrictions.*

Having thus given an analysis of the banking system, your committee will proceed to consider how far the arguments in favor of banks above adduced, are in accordance with sound

reason, for by no other criterion is it possible to judge of their truth or fallacy.

*In the first place*, then, it is said that banks are useful to the public, inasmuch as they afford facilities in the safe-keeping of money, in the payment of large sums by checks or transfers on their books, in the transmission of funds, in the furnishing of a convenient and portable currency, and in the loaning of money to merchants, farmers and others who have occasion to borrow. *All this is true*, and your committee most heartily concur in the declaration, that as far as banks perform these operations, they merit the support of the public and of the legislature. But it will be recollected, that all these services are rendered to the community, in their capacity of *banks of deposit and discount*, against which objections can scarcely be raised, even by the most cautious, and not in their capacity of *banks of circulation*, the exercise of the power of which, is, as has been before observed, what produces all the evil which banks are capable of creating.

*In the second place* it is asserted, that banks increase the *capital* of the community by the emission of their notes. This position your committee are prepared to show, is in the highest degree erroneous, and entirely at variance with the acknowledged principles of political economy. The capital of a community consists of the capitals, or in other words, of the property, merchandise, products, commodities, coin, and all articles *possessing value*, which belong to all the individuals who compose that community. A mere *promise* to deliver a given quantity of provisions, clothing or materials, on demand, is not capital, or otherwise the whole wealth of a nation might be doubled at pleasure, by the mere emission of written promises. Neither is the creation of a *promise* to pay on demand a certain quantity of gold and silver, capital. A bank note when it is not the actual representative of coin deposited in the vaults of a bank, is in fact nothing but the *credit* of a bank in a visible negotiable and convenient form, to which the public are willing to ascribe the properties of money. But it is said, that inasmuch as bank notes are considered as money, their plentiful emission, at least, makes money more plenty. Strange as it may appear, even this is but partially true. When notes are first issued to excess, money, as it is called, is plenty *with those to whom it is loaned*, but after the notes are once distributed throughout the channels of circulation, the rise which takes place in the prices of property and commodities *from the depreciation of the money*, is just in proportion to that excess, so that it requires the whole quantity of medium to perform the functions which were before performed by the less quantity. ~~This position may be exemplified~~

fied thus: If the whole quantity of gold and silver in the world were to be suddenly doubled, it would require *two* dollars to purchase what could be before bought for *one*, and after the prices should become settled upon the new scale, *money* would be no more plenty than it was before. Plenty of money does not so much depend upon the absolute quantity of coin or bank notes which are in possession of the public, as upon the quantity of saleable products and commodities transferred, and upon the steadiness of demand and regularity of supply, all of which are disturbed by every expansion and contraction of a currency. One million of dollars when a currency is expanding, may be a plenty of money, whilst two millions, when the currency is contracting, will be a scarcity. It is however further asserted, that banks of circulation afford facilities to borrowers which could not exist without them. This is admitted to be true, but your committee will attempt to shew, that the facilities alluded to, are more injurious than beneficial to the public.

The capital of a society, by which is to be understood, as above-mentioned, all its valuable possessions, accumulates by a comparatively slow progression. The annual consumption of a people goes very far to destroy all its annual production, and the surplus which is left is all that can be accumulated. In every thriving community, therefore, it is of essential importance that the greatest possible proportion of its capital should be *productively employed*, that is, devoted to the support of productive labourers, who, by their industry and enterprise, are able to reproduce with profit what they consume in their maintenance. Now it must be evident, under this view of the subject, that it makes a great difference to a community as regards its prosperity and its capacity to encrease in population, whether its capital be loaned with discretion or not. If money be loaned to the industrious, prudent and frugal citizen, to assist him in extending his agriculture, his manufactures, or his commerce, he will add to the wealth of the nation by the encreased products of his labour, and be able to support himself, replace the borrowed capital with interest, and lay up a fund for himself. On the other hand, if money be loaned to the idle, the unskilful or the imprudent projector, he may sink it by mismanagement and the want of proper knowledge of his business, or may waste it by improvidence or extravagance. Every dollar thus consumed has a tendency to retard the progress of a society and to check its population, which must needs ever be limited by *the means of subsistence*. Now, it must be observed, that if there were no banking associations, all the funds belonging to the individuals who compose the mass of stockholders, *would be in the hands of those individuals*, and the very persons who now apply to banks,



would be able to borrow of individuals. There would, indeed, be this difference, that those only would be able to borrow, in whose prudent and economical management of their concerns, the lenders had confidence, but instead of borrowing for *sixty days*, they would be enabled to procure money for a year, or for as long a time as they continued to maintain their punctuality, and the confidence of the lender. Your committee would then ask, whether it is not manifest that capital would always be loaned with more judgment and discretion by its individual owners, than by a dozen or more directors of a bank, between whom and the borrower, explanations as to the object of the loan are rarely made. Before the establishment of banks in the interior, the farmer who possessed credit and character, experienced little difficulty in borrowing, on his simple bond, for one or more years, any sum which it was thought could be prudently loaned to him. Embarrassments and failures in these days were scarcely known amongst our husbandmen, and society moved on by a regular, sure and happy march. In our cities, on the contrary, where loans have been chiefly made by incorporated banks, we have seen a continued succession of bankruptcies, and had it not been for the practice so universally prevalent amongst merchants of *securing the banks for the sake of endorsers*, banking long since would have been abandoned as an unprofitable trade. It is true that these objections against the practice of loaning money by boards of directors, many of whom are very little, or not at all interested in the stock as *bona fide* holders, will apply as well to a bank of discount as to a bank of circulation; but, there is this difference between the two, that in the former, a stricter attention would be paid to the responsibility of the borrowers, inasmuch as from the limited extent of its discounts which cannot exceed its capital, it would have a greater choice amongst the applicants, and from the impossibility of making up its losses from any other source, the interests of the proprietors would compel a more rigid system of caution.— But it may be asked—cannot a bank discount upon its deposits, and loan the money which has been placed there for safe-keeping, instead of its notes, without adding to the mass of the currency? We answer in the negative. The right to draw a check upon a bank *payable on demand*, is as much a part of the currency as a bank note. One is just as available for all purposes of money as the other, and whatever influence the one has in depreciating the currency is equally possessed by the other, for there can be no difference between a bank note in a man's pocket, and the right of procuring such a note by sending to a bank. Now, where the specific money of depositors has been loaned by a bank, it is clear that the right of the depositors to

**demand their money at any moment they please, is still reserved to them.** Of course, the amount which stands to their credit on the books of the bank constitutes a part of the currency, inasmuch as it can be applied to any purpose to which bank notes could be if drawn out by checks. Your committee are of opinion that the want of a proper understanding on this subject, has caused many of the abuses of banking, and although the amount of the average deposits may be, in some degree, a guide for the limitation of discounts, yet every loan made of *deposit money*, is, in reality, an indirect loan of the *credit of the bank*.

*The third* and last position we have to combat is,

That banks improve the country wherever they are located, as is exemplified in the number of turnpike roads, bridges, houses and barns which have of late years been constructed.—

Had no banks been established in the country, it is reasonable to presume, that the capital of the people, would, in seeking employment, have naturally found its way into the most profitable channels. This will usually be the case, when men are suffered to pursue their own interests, without the interference of governments or the enactment of injudicious laws. Now, if the existence of banks has not diverted capital from its natural course, and given it a new direction, it has merely assisted in doing that which would have been performed without it, and is therefore entitled to but little credit. But, if on the other hand, the existence of banks, has diverted capital from its most productive pursuit, and wasted or sunk it in such a way as that it is deprived of the power of re-production, then we say, the system has been most pernicious. Every house that has been built, which was not called for by the increase of population—every barn which has been raised without being required by the accumulating crops of the farmer—every turnpike road and bridge which has been prematurely constructed, and which does not save to the community in the reduction of the expenses of transportation, a sum equal to the revenue that could have been derived from the employment of the same funds in other pursuits, are visible monuments of the annihilation of capital. As far as the banking system has been instrumental in these results, and your committee are constrained to say, that in their judgment it is *deeply* implicated, so far has its tendency been adverse to the public prosperity; and as banks have not the power of producing *the necessities of life*, *the real capital which makes turnpike roads*, it would appear that the most they have accomplished, has been to induce by false allurements, some unwary people to embarrass themselves



by subscribing their capital and credit to unproductive turnpike roads and bridges, and others to lend their money and labor to corporations which can never repay them. Improvements thus forced and extorted, and by no means resulting from the ordinary course of the employment of capital, are not at all to be desired; and when we reflect upon the power of money to accumulate at compound interest, and estimate the difference between a sinking of capital, and its profitable employment in some productive industry, we cannot but regret the cause which has been instrumental in producing such a wanton destruction of property. If any confirmation were wanting of the truth of our assertions, it might be found in the fact, that most of our turnpike companies are deeply involved in debt. Much of the amount is due to contractors and laborers, and no small sum to the banks; and it thus appears that they have been in a great degree constructed with the capital of those, who never voluntarily consented to such a permanent investment.

Having thus shown, as your committee conceive, that all the benefits which the community can experience from the existence of banks, are derived from them in their capacity of banks of *deposit* and *discount*, and not in their character of banks of *circulation*, it remains to be shown in what further particulars they are objectionable.

The very nature and essential character of monied institutions are hostile to the spirit of free government. The power and influence which a combination of wealth is capable of begetting, are of so commanding a nature, as scarcely to admit of being controled. The want of an individual moral responsibility on the part of the persons associated, often destroys all the protection which the public can possibly possess against abuses and oppression. Men have been known, as component members of a corporate body, to acquiesce in measures which would have wholly destroyed their reputation in society, had they given them countenance in private life. Public opinion is the most powerful shield of the citizen, against the encroachments of injustice, and whenever individuals are invested with immunities which screen them from the public view, there is danger to be apprehended, as the certain consequence of a divided responsibility.

Your committee are fully of opinion, for the reasons here laid down, that *banks of circulation* occasion much more injury to the community than they produce of good. Still, however, they are compelled to admit, that, considering the vast amount of debts now due by the public to the banks, it would be highly injudicious in the legislature, to refuse to allow to any of the

banks such a number of years after the expiration of their charters, to collect their debts, (strictly prohibiting all new loans and issues of notes) as would render the operation as little oppressive as possible to the great mass of debtors. *Three or five years* would afford ample time to any solvent individual to meet a debt which he had contracted to pay in sixty days; and when it is recollected that the capitals of the banks might be directed by law to be divided amongst the stockholders, after the payment of all their debts, in instalments of five or ten per cent. as fast as collected, it will be perceived, that the money thus paid to the banks, would be immediately in the hands of the individual stockholders seeking employment as before. The winding up of a bank is, in itself, a simple process, and by no means accompanied by those awful consequences which interested persons are so apt to depict. If banks have been unfortunate in their operations, let their losses fall upon those who have reaped the profits of their prosperity. Let no artificial rise in the price of their stock, usually resulting from the renewal of a charter, be suffered to deceive the ignorant and unwary into ill-advised speculations, under the delusive hope, that a simple extension of a charter can restore lost capital, or in other words, make *bad debts good*.

Your committee are clearly agreed, that in no event should a great proportion of the bank charters which will expire in the year 1825, be renewed. What particular institutions should be selected from the mass, must depend upon the wisdom of future legislatures, who will have a proper regard to locality, stability, public convenience and the calls of trade. But your committee conceive that it is a duty incumbent upon all such legislatures, to protect the community as far as lies in their power, against the pernicious operations of the banking system, by introducing into *all new charters*, such provisions as will be efficient in restraining them from excessive issues, and from those destructive acts which have hitherto proved so ruinous in their tendency. A FUTURE SUSPENSION OF SPECIE PAYMENTS, EITHER THROUGH DESIGN OR MISCONDUCT, MUST BE RENDERED IMPOSSIBLE, and with such a principle wisely and resolutely adhered to by the legislature, the evils resulting from the system will be greatly diminished.—Your committee would recommend as *absolutely essential* to the public welfare, that no charter be granted or renewed, without embracing the following provisions, some of which already exist in some of the acts of incorporation:

*First.*—That a penalty of twelve per cent. per annum be imposed upon the amount of all notes and deposits not redeemed

or paid on demand, in gold or silver coin; that the charter be forfeited, except for the mere purposes of winding up, and that during any suspension of payment, no dividends shall be made.

*Secondly.*—That no note of a less denomination than five dollars shall be issued.

*Thirdly.*—That no bank shall purchase its own notes or the notes of any other bank or receive them in deposit, for a less sum than their par value.

*Fourthly.*—That no bank shall hold any stock or securities of the funded debt of the United States, or its own stock, or the stock of any other incorporated company, except companies incorporated for purposes of internal improvement, to which they may have subscribed or shall hereafter subscribe.

*Fifthly.*—That no director or cashier of a bank, shall be entitled to loans directly or indirectly beyond a limited amount, or shall be a member of either branch of the legislature.

By the adoption of the *first* of the foregoing stipulations, banks will be compelled to confine their issues to a limited scale, for should they improvidently overstep the bounds of prudence, their notes cannot fail to return upon them for payment, and without the most watchful attention they will perpetually be liable to the penalties of the law. The great desire to make extraordinary dividends and to elevate thereby the price of their stock, is ever holding forth temptation to over-trade, and although under present circumstances, there may no danger appear to be apprehended from the impudence of banks, yet without a sufficient restriction, the public can have no security against their mismanagement.

With regard to the *second* condition your committee urge its propriety as a means of diminishing the temptation to forgery, but more particularly on the following grounds. It has been already observed, that the stability of a currency is of vital importance to the interests of the country, and that no such stability can exist, unless the minor channels of circulation are filled with coin. Just in the proportion that paper is substituted for gold and silver, the latter are banished not only from circulation, but from the country. Small notes produce this effect in a greater degree than large ones, for it is chiefly in the retail transactions of business that specie is employed. It is therefore evident, that if the precious metals are eradicated from circulation, there is no solid foundation upon which a paper currency can rest, and if any convulsion takes place in public or private credit, arising from a war or any other event, there is no standard or substantial medium possessing a positive or known value, on which the con-

fidence of the community may repose. The charter of the first bank of the United States prohibited the emission of notes of a less denomination than *ten dollars*, and had the example been followed in the charter of the second, and by the legislatures of all the states, in their incorporation of banks, the nation would have felt the benefits of so wise a regulation. If no note for less than ten dollars could lawfully be issued in the United States, *gold* coins of small denominations would supply their place, and we should at all times have in circulation at least five or ten millions of specie more than at present. If it should be argued that small notes are convenient, it may be replied, that this is true, but surely no individual would refuse to submit to the hardship of carrying a half or quarter eagle in his pocket, when he was told, that that inconvenience was the price he paid to maintain the prosperity of his country, and the stability of its property. By the charters of the forty-two banks authorised by the act of 1814, it was prohibited to issue notes of a less denomination than *five dollars*. The same prohibition was extended to *one* of the old city banks, and of the three which were not thus restricted, *two* have *voluntarily* and with an honorable regard to the public wishes, resolved to suspend the exercise of their right, and are now actually endeavoring to withdraw all their small notes from circulation. If a measure similar to the one here recommended, were to be adopted by our sister states, particularly those which are adjacent, it would prevent the necessity of resorting to a law, to prohibit in the general, the circulation within Pennsylvania, of all notes of a less denomination than *five dollars*, which would seem to be expedient, whilst our own banks are not allowed to exercise that power.

The *third* restriction is intended to guard against the practice which is well known to exist, amongst some of the country banks, of speculating upon the notes of other institutions, and of buying up their own notes in the city at a discount, instead of making such arrangements, as would place their notes *at par*. It is the interest of all the traders in the country, that the paper which they remit to the city in payment of debts, should be received there in deposit at the banks, but so long as the country banks can make a profit by discrediting their own notes and keeping them at a depreciation, they will refuse to afford such an accommodation.

In relation to the *fourth* provision, your committee will remark, that the only ostensible ground for which banks have been chartered, has been to accommodate merchants, farmers, manufacturers, mechanics and others with loans, and that that object is by no means accomplished by making speculations in stocks. Just in the degree that their funds are invested in gov-

ernment or other securities, just in that degree is the real ability of the banks to fulfil their duties to the public, diminished. But the great evil does not rest here. The facility of re-converting the public stocks which they may purchase, into money, at any moment they please, holds out a strong temptation to banks when a speculation offers, to embark in it, and to issue more notes than they would be disposed to do, in loans to individuals. The consequence of this is, that the currency is perpetually liable to derangement from excessive issues at one time and from an extremely rapid reduction at another, and fluctuations in the value of money, which we have shewn to be prejudicial, will necessarily result. This provision is not a new one, having already been adopted in most of the charters.

The object of the *fifth* condition is too obvious to need explanation.—By the charter of one of the old city banks, the loans to the directors are restricted, and by the charter of the *forty-two* banks, it is very wisely provided that no director shall be a member of the legislature. The fear of a bank influence in the general assembly of the State, was no doubt the cause of this latter provision, and experience has not yet demonstrated that the measure was without a reasonable foundation. In addition to this restriction, there exists a general act of the legislature, which declares, “that no judge of any court nor any person holding any office under this commonwealth, in the accounting or treasury department or in the land office, or any person authorised to receive and account for the public monies of this commonwealth,” comprising, it is supposed *auctioneers*, “shall be capable at the same time of being a director or cashier of any bank.” The general and permanent character of this law, precludes the necessity of incorporating its principles into any new charter.

For a strict adherence to the foregoing conditions, the directors should be pledged, and individual liability should be the result of any failure to observe them.

If the subject before your committee, had been to point out what restrictions should be introduced into the charters of *new banks*, there are two in addition to the foregoing which they would strongly have urged, and as they are calculated to throw some light upon the important subject of banking, they will be here advanced.

The first is, that no bank should be allowed to divide *upon an average*, during the continuance of its charter, more than *legal interest*, but that it should be permitted to accumulate a contingent fund of ten per cent. on the amount of its capital, to meet occasional losses, and to make its capital whole at the winding

up of its concerns. By this provision an additional check would be given to excessive issues, for it would not be the interest of any bank under such a restriction, to extend its loans beyond the lowest possible amount, which would yield the stipulated dividend, defray its expenses, and accumulate the contingent fund. In this measure the public would have a powerful guarantee against any depreciation of the currency, the supply of bank accommodations would be steady, and the dividends and price of stock uniform. Stock-jobbing and speculation would not be excited by the prospect of a greater or smaller dividend, and orphans and widows, aged and ignorant persons, would not be in danger of losing *one third of their property*, as thousands have heretofore done by purchasing stock at forty or fifty per cent. above its par value. The authorising of a bank to divide seven, eight or nine per cent. affords no advantage to any one but the *original subscriber*, for all subsequent purchasers are compelled to pay an advance of principal, equivalent to the extra interest, and these latter not only get no more than six per cent. for their money, but are absolutely obliged to bear *all the losses* of the bank, and to lose at the winding up, the whole amount which they paid for their stock above the par value.— Thus—if nine dollars per annum be divided upon a share of stock which cost one hundred, its market price is at once raised to 150 dollars or something near it, and for this extra fifty dollars, the most that the purchaser can get, is the chance of a very doubtful dividend for a few years, upon the capital which he has thus sunk. Any provision by law, which would authorise any one portion of our citizens to receive *eight or nine* per cent. for the use of their money, whilst all others were prohibited from taking more than *six* per cent, would be marked by a character of inequality by no means consonant with our political institutions, and yet even such a provision is not half so odious and unjust, as to authorise a set of avaricious speculators (who comprise a great proportion of the original subscribers to a bank) to affix an artificial and deceptive value to a stock, that they may allure the unsuspecting and ignorant into a purchase, at a rate far above its intrinsic worth. The prices current of the present day quote bank stocks at 104 dollars per share, which once commanded 150, and others at 82 dollars which cost some of the present holders 135. Against a repetition of such monstrous impositions, it is the duty of the legislature to protect the unwary, for it is principally those who are not skilled in the science of stock jobbing, and who are not acquainted with the difference in value between a *doubtful* interest for a term of years and a *certain* perpetual annual revenue, who are ultimately involved.



—Had it not been for the belief that a great proportion of the present stockholders of our banks have paid a high advance for their stock, your committee would have recommended the introduction of this provision into all the renewals of charters, but it was considered inexpedient to deprive people of the *hopes* of regaining their capital, even at a time when most of them must be convinced of their futility. Still however, as the evils resulting from the artificial elevation and depression of bank stock, may at some future time, present themselves in all their deformity, and as it is extremely desirable that a complete *reformation* in the banking system, should at some period be accomplished, your committee suggest for the consideration of the Senate, whether it would not be expedient to introduce into all the renewals of charters, a provision declaring that after some distant day, say the first of January, 1830, or 1835, no bank should divide more than *legal interest*.

As the commonwealth is a holder of bank stock to the amount of *two millions of dollars* and upwards, it is important that some estimate should be formed of the probable revenue which she may expect to derive from that source in future years, and your committee will venture to give some opinions upon that subject. It has been shown that the profits which banks derive over and above six per cent. arise from the loan of their credit. It has also been shown that in any given community under a *bona fide* system of specie payments no more than a certain amount of paper credits can be kept in circulation, for if more bank issues are made than that certain amount, the surplus notes will return back upon the banks for payment. When the banking capital located within Pennsylvania was comparatively limited, the circulation afforded to the notes of its banks in the interior of the State, and throughout the western country, where banks had not yet been introduced, was so great as to warrant, without risk of depreciation, a very extensive emission. At that period, the ordinary dividends of our banks were eight per cent. because the amount of issues bore a large proportion to the then existing amount of capital. During the suspension of specie payments too, the dividends were high, because as there was no restraint upon issues, the banks drew an interest upon a much greater sum, than they could have done had specie payments never been suspended. But, both these sources of extraordinary profit have forever disappeared.—The banks of the interior are able to supply their own local currency, and the notes of each must necessarily be restricted in their circulation. But this is not all. From the principles of currency which we have laid down, it will appear that after a sound medium shall have been really established all the banks united, will only be able to keep in circulation the

amount of paper credits, which could have been maintained without depreciation, when the banking capital was half of its present amount. In other words, all the profits of banking must hereafter be divided amongst a greater number of capitals, and of consequence the proportion which each will receive must necessarily be diminished. Under the present amount of banking capital, your committee conceive, that a greater dividend than six per cent. per annum can never be looked for, until by the increase of population and trade, which will be the work of very many years, the old relations between supply and demand which formerly subsisted, shall be restored.

The *second* provision applicable to new charters is, that no bank should make loans upon the security of its own stock. The adoption of this provision would prevent that odious system of speculation in bank stock, which has ruined so many hundreds of our citizens, and brought losses on so many thousands of helpless and deluded persons, who were seduced by the artificial rise of Stock, to embark their capitals in its purchase. When a loan is made on the security of stock, the responsibility of the borrower is scarcely regarded. Now it is manifest, that if the whole capital of a bank were loaned upon the security and deposit of its own stock, to borrowers, who possessed no other property than that stock, there would be no bank capital. And it is equally clear, that just in the proportion that such loans are made to such men, just in that proportion is the capital of the bank *diminished*, and of course the security of the public who have claims upon the bank, either in the form of notes or deposits, impaired. Besides this, to lend on the stock to individuals, whose personal credit could not command the loan, and *who are the class of persons most likely to borrow*, in that manner, is an act of gross injustice to the real *bona fide* stockholder, inasmuch as the latter is thereby made a co-partner with persons, who have advanced nothing to the stock, and is obliged to bear *all* the losses of the institution, without the prospect of reaping any thing more than a *proportion* of the probable profits.

With this exposition of their views in relation to the important subject referred to them, and with the further recommendation, that provision be made in all renewals of charters for an annual statement of their affairs as they shall stand on the first Monday in November, your committee close their report, and submit for the consideration of the Senate, the following resolution:

*Resolved*, That it is not expedient to renew the charter of any bank in this commonwealth, but under the restrictions recommended in this report.



**Ordered, To lie on the table.**

**On motion of Mr. Davidson and Mr. Grosh,**

**Ordered, That thirteen hundred and seventy-five copies of the foregoing report be printed for the use of the members.**

**The bill from the House of Representatives, entitled**

**"An act to enable Catharine Augusta Newbold and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate;" was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**Mr. Breck read a bill in his place, and on leave given, presented the same to the chair, entitled**

**"A further supplement to the act entitled "An act laying a tax on dogs, in certain counties, and for other purposes;" which was read the first time.**

**On motion of Mr. Davidson and Mr. Grosh,**

**Ordered, That the committee appointed, in conjunction with a committee from the House of Representatives, to examine into the affairs of the company for erecting a bridge over the Susquehanna river, at or near the town of Columbia, in the county of Lancaster, be allowed further time, until Monday next, to prepare and make their report.**

**A motion was made by Mr. Conyngham and Mr. Markley, and read as follows, to wit:**

**Resolved, That the committee on the judiciary system be instructed to enquire into the expediency of abolishing the courts of Nisi Prius, and providing for the appointment of two additional judges of the Supreme Court.**

**Ordered, To lie on the table.**

**On motion of Mr. M'Meens and Mr. Hurst,**

**Ordered, That an item of unfinished business on the journal of the last session, relative to the petition of Matthias Mattenly and Elizabeth his wife, be referred to a committee, and that Mr. M'Meens, Mr. Hubley and Mr. Sawyer be the committee.**

**On motion of Mr. Davidson and Mr. Grosh,**

**Ordered, That the Senate will proceed to the election of directors of the Pennsylvania and Philadelphia banks, on the part of the Senate, on Friday next, and that it be the order of the day for that day.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill entitled

"A supplement to the act entitled "An act to provide for the better preservation and increase of the library of this commonwealth."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill entitled

"An act to repeal an act entitled "An act to authorise any person or persons, owning lands adjoining navigable streams of water, declared public highways, to erect dams upon such streams for mills and other water-works."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

The clerk of the House of Representatives being introduced, informed, that the House of Representatives have concurred in the amendments by Senate, to the bill entitled

"A supplement to an act entitled "An act to provide for the erection of a house for the employment and support of the poor, in the county of Franklin, passed the eleventh day of March, A. D. one thousand eight hundred and seven."

He further informed, that the House of Representatives have receded from their amendments, non-concurred in by Senate—and concurred in the amendments by Senate, to the amendments by the House of Representatives, to the bill entitled

"An act reducing the pay of the members and officers of the legislature."

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns."

And after some time,

The committee rose and reported said bill with amendments, which were read.

Adjourned until 11 o'clock to-morrow morning.

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**TUESDAY, January 16, 1821.**

Mr. Wallace presented a petition from sundry inhabitants of Huntingdon county, stating that they labor under great inconvenience in consequence of numerous causes being on the trial list, in which the honorable president of the several courts of the said county had formerly been concerned and employed as counsel. The petitioners therefore pray, that a law may be passed, to authorise the holding of special courts for the trial of said causes, at which the courts the honorable Charles Smith, of the city of Lancaster, shall preside; and

Said petition was read and referred to the committee on the judiciary system.

Mr. Wallace also presented a petition from sundry inhabitants of Huntingdon county, praying that a law may be passed to provide more effectually for the destruction of foxes, crows and black-birds; and

The same was read and referred to Mr. Wallace, Mr. Fry and Mr. Conyngham.

Mr. Breck presented a petition from Bernard M. Carter, praying to be divorced from the bonds of matrimony; and

The same was read and referred to Mr. Breck, Mr. Willett and Mr. Piper.

Mr. Hill, from the committee to whom was referred, on the 30th ult. the petition of Jane Allen, on leave given, reported a bill entitled

"An act to annul the marriage contract of James Allen and Jane his wife;" which was read the first time.

Mr. Coleman, from the committee to whom was referred on the 11th instant, a petition from the German Lutheran-congrega-

tion, in the city of Lancaster, on leave given, reported a bill entitled

"A supplement to the act entitled "An act for incorporating the German Lutheran congregation, in and near the borough of Lancaster, in the state of Pennsylvania;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to enable Catharine Augusta Newbold and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate;" was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that Senate have passed the same without amendment.

The bill from the House of Representatives, entitled

"An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Power and Mr. Piper,

Ordered. That an item of unfinished business on the journal of the last session, relative to the Pittsburg and Steubenville turnpike road company, be referred to the committee on roads, bridges and inland navigation.

The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

"A supplement to the act entitled "An act, to provide for the education of children at the public expense, within the city and county of Philadelphia;" which was read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled

"A supplement to an act entitled "An act provisionally organising the counties of M'Kean and Potter, and for other purposes."

And after some time,

The committee rose and reported the first section of the bill disagreed to.

On the question,  
Will the Senate agree to said report?

It was determined in the affirmative, and the bill lost.

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Cochran in the chair, on the bill, entitled  
"An act to extend the boundaries of Union county."

And after some time,  
The committee rose, reported progress and obtained leave  
to sit again on Monday the 5th of February next.

Mr. Mann and Mr. Rutherford, a committee from the House  
of Representatives, being introduced, informed the Senate that  
the chamber of that House is now ready to receive the members  
of the Senate, for the purpose of proceeding to the choice of a  
Senator, to represent this state in the Senate of the United  
States, in the place of Jonathan Roberts, whose term of service  
will expire on the fourth day of March next.

Whereupon,  
On motion of Mr. Davidson and Mr. Eyster,  
The Senate withdrew to the chamber of the House of Repre-  
sentatives, for the purpose aforesaid.

### SAME DAY.

Mr. Davidson, teller on the part of the Senate, to officiate  
at the election of a Senator to represent this state in the Senate  
of the United States, made report as follows, to wit:

That, at a meeting of the members of the General Assembly,  
held this day, pursuant to adjournment, in the chamber of the  
House of Representatives, three several polls were taken, when  
the members present voted as follows, to wit:

At the first poll,

Messrs. Marks, speaker, Allshouse, Alter, Barnard, Dicker-  
son, Eichelberger, Eyster, Fry, Hunt, Markley, M'Meens, Pi-  
per, Power, Sawyer, Smith, Wallace and Winter, of the Senate;  
and

Messrs. Brackenridge, Dierdorff, Dimmick, Drinkhouse, Estep,  
Evans, Fenner, Fenstermacher, Forward, Fry, Giffin, Gilliland,

Haas, Hanna, Hart, Hays, Herrington, Kennedy, Kinney, Krause, Lawrence, Leiper, Livingston, Mann, M'Call, M'Clure, Miller, Mitchell, Mosteller, Nes, Orr, jr. Piper, Porter, Reed, Roberts, Rugh, Schell, Scott, Smith, Smyth, Snyder, Storm, Todd, Wells and Witherow, of the House of Representatives, voted for *William Findlay*.

Messrs. Breck, Cadwallader, Cochran, Coleman, Grosh, Hubley, Leib, M'Mullin and Raguet, of the Senate; and

Messrs. Anderson, Atlee, Baird, Barnett, Carr, Cassat, Connelly, Courtright, Coulter, Crooks, Dewart, Dorrance, Dunn, Dyre, Edwards, jr. Emlen, Foulke, Gernandt, Good, Henderson, Hunt, Jenks, Jones, Kelton, Lardner, Lehman, Lewis, Lombart, Magill, M'Allister, M'Cullough, Musser, Rahn, Rees, jr. Robbins, Rohrer, Rutherford, Sallade, Stewart, Stockman, Stoner, Stover, Uhler, Webb, Wierman, Withers and Gilmore, speaker, of the House of Representatives, voted for *Isaac Wayne*.

Messrs. Conyngham, Davidson, Feger, Hill and Willett, of the Senate; and

Messrs. Calwell, Sturgeon, Weaver, Wise and Wurts, of the House of Representatives, voted for *Jonathan Roberts*.

William Findlay, had sixty-two votes.

Isaac Wayne, had fifty-six votes.

Jonathan Roberts, had ten votes.

At the second poll,

Messrs. Marks, speaker, Allshouse, Alter, Barnard, Dickerson, Eichelberger, Eyster, Fry, Hurst, Markley, M'Meens, Piper, Power, Sawyer, Smith, Wallace and Winter, of the Senate; and

Messrs. Brackenridge, Connelly, Dierdorff, Dimmick, Drinkhouse, Estep, Evans, Fenner, Fenstermacher, Forward, Fry, Giffin, Gilliland, Haas, Hanna, Hart, Hays, Herrington, Kennedy, Kinney, Krause, Lawrence, Leiper, Livingston, Mann, M'Call, M'Clure, Miller, Mitchell, Mosteller, Nes, Orr, jr. Piper, Porter, Reed, Roberts, Rugh, Schell, Scott, Smith, Smyth, Snyder, Storm, Todd, Wells and Witherow, of the House of Representatives, voted for *George Bryan*.

Messrs. Breck, Cadwallader, Cochran, Coleman, Feger, Grosh, Hubley, Leib, M'Mullin and Raguet, of the Senate; and

Messrs. Anderson, Atlee, Baird, Barnett, Caldwell, Carr, Cassat, Courtright, Coulter, Crooks, Dewart, Dorrance, Dunn, Dyre, Edwards, jr. Emlen, Foulke, Gernandt, Good, Henderson, Hunt, Jenks, Jones, Kelton, Lardner, Lehman, Lewis, Lombart, Magill, M'Allister, M'Cullough, Musser, Rahn, Rees, jr. Robbins, Rohrer, Rutherford, Sallade, Stewart, Stockman, Stoner, Stover,

Uhler, Webb, Wierman, Wise, Withers and Gilmore, speaker, of the House of Representatives, voted for *Isaac Wayne*.

Messrs. Conyngham, Davidson, Hill and Willett, of the Senate; and

Messrs. Sturgeon, Weaver and Wurts, of the House of Representatives, voted for *Jonathan Roberts*.

George Bryan, had sixty-three votes.

Isaac Wayne, had fifty-eight votes.

Jonathan Roberts, had seven votes.

At the third poll,

Messrs. Marks, speaker, Allshouse, Alter, Barnard, Dickerson, Eichelberger, Eyster, Fry, Hurst, Markley, M'Meens, Piper, Power, Sawyer, Smith, Wallace and Winter, of the Senate; and

Messrs. Brackenridge, Connelly, Dierdorff, Dimmick, Drinkhouse, Estep, Evans, Fenner, Fenstermacher, Forward, Fry, Giffin, Gilliland, Haas, Hanna, Hart, Hays, Herrington, Kennedy, Kinney, Krause, Lawrence, Leiper, Livingston, Mann, M'Call, M'Clure, Miller, Mitchell, Mosteller, Nes, Orr, jr. Piper, Porter, Reed, Roberts, Rugh, Schell, Scott, Smith, Smyth, Snyder, Storm, Todd, Wells and Witherow, of the House of Representatives, voted for *George Bryan*.

Messrs. Cadwallader, Cochran, Grosh, Leib and M'Mullin, of the Senate; and

Messrs. Anderson, Atlee, Baird, Barnett, Calwell, Carr, Cassat, Courtright, Coulter, Crooks, Dunn, Dyre, Edwards, jr. Foulke, Gernandt, Good, Henderson, Hunt, Jenks, Jones, Kelton, Lehman, Lewis, Magill, M'Allister, M'Cullough, Musser, Rahn, Rees, jr. Robbins, Rohrer, Rutherford, Sallade, Stockman, Stoner, Uhler, Webb, Wierman, Wise, Withers and Gilmore, speaker, of the House of Representatives, voted for *Isaac Wayne*.

Messrs. Breck, Coleman, Hubley and Raguet, of the Senate; and

Messrs. Dorrance, Emlen, Lardner, Lombart, Stewart and Stover, of the House of Representatives, voted for *Samuel Sitgreaves*.

Messrs. Conyngham, Davidson, Feger and Willett, of the Senate; and

Messrs. Dewart, Sturgeon, Weaver and Wurts, of the House of Representatives, voted for *Jonathan Roberts*.

Mr. Hill, of the Senate, voted for *Molton C. Rogers*.

George Bryan, had sixty-three votes.

Isaac Wayne, had forty-six votes.

Samuel Sitgreaves, had ten votes.

Jonathan Roberts, had eight votes.

Molton C. Rogers, had one vote.

That as neither of the candidates had a majority of the whole number of votes, no choice was made.

Whereupon,

The meeting adjourned, *sine die*.

WILLIAM DAVIDSON,

*Teller on the part of the Senate.*

Mr. Grosh obtained leave of absence for Mr. Coleman, for a few days from to-day.

Adjourned until 11 o'clock to-morrow morning.

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## WEDNESDAY, January 17, 1821.

Mr. Winter presented two petitions of similar tenor from sundry inhabitants of this commonwealth, praying for the establishment of a Loan Office; and

The same were read and laid on the table.

Mr. Conyngham, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That the joint committee of Senate and House of Representatives, yesterday presented to the Governor, for his approbation, the bills entitled as follow, viz.

"An act appointing commissioners for the purpose of ascertaining the original plan of the town of Armagh and recording the same."



"An act reducing the salaries of sundry public officers and the daily pay of the members of the legislature."

"An act to refund to James Herrington, money paid by him to Daniel Perkins, for painting the roof of the arsenal at Meadville."

"A supplement to an act entitled "An act, to provide for the erection of an additional court within the city and county of Lancaster."

"An act authorising the electors in the borough of Milton, in the county of Northumberland, to elect overseers of the poor."

"An act requiring directors of the poor, to publish their respective accounts annually."

Ordered, To lie on the table.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"An act regulating the fees of certain public officers in this commonwealth;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, also reported a bill entitled

"An act to continue and make perpetual, the District Court for the city and county of Philadelphia;" which was read the first time.

The bill from the House of Representatives, entitled

"An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns;" was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Markley and Mr. Davidson,

The resolution read on the 8th instant, relative to the several judicial districts within this commonwealth, was again read, considered and adopted.

On motion of Mr. Conyngham and Mr. Markley,

The resolution read on the 15th instant, relative to the appointment of additional judges of the Supreme Court, was again

read, considered and adopted, after being amended by striking therefrom the word "two."

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"A supplement to 'An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned,' passed the twenty-second day of March, one thousand eight hundred and twenty."

And after some time,

The committee rose, reported progress, and obtained leave to sit again on the fifth of February next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill entitled

"An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Wednesday next.

Adjourned until 11 o'clock to-morrow morning.

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THURSDAY, January 18, 1821.

Mr. Barnard presented a petition and documents from sundry inhabitants of Birmingham township, in Chester county, praying that certain trustees may be authorised to sell and convey a lot of land in said township; and

The same was read, and with the documents referred to Mr. Barnard, Mr. Allshouse and Mr. Leib.

Mr. Allshouse presented two petitions of similar tenor from sundry inhabitants of Allegheny township, in Westmoreland county, praying that said township may be erected into a separate election district, and that the elections may be held at the house of James M'Culloch; and

Said petitions were read and laid on the table.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"A further supplement to the act entitled "An act to amend and consolidate with its supplements, the act entitled "An act for the recovery of debts and demands not exceeding one hundred dollars, before a justice of the peace, and for the election of constables and for other purposes;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, to whom was committed on the 4th instant, the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned," passed the thirty-first of March, one thousand seven hundred and ninety-two;" reported said bill with amendments, which were read.

On motion of Mr. Hill and Mr. Raguet,

The Senate proceeded to the second reading and consideration of the bill entitled

"A supplement to the act entitled "An act to provide for the better preservation and increase of the library of this commonwealth;" as reported by a committee of the whole on the 15th instant.

Whereupon,

On motion,

The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on said bill.

And after some time,

The committee rose and reported the same with one amendment, which was read.

Mr. Barnard read a bill in his place, and on leave given, presented the same to the chair, entitled

**"A supplement to the act entitled "An act to alter the judiciary system of this commonwealth," passed February twenty-fourth, one thousand eight hundred and six;" which was read the first time.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled**

**"A supplement to the act entitled "An act to provide for the education of children at the public expense, within the city and county of Philadelphia."**

**And after some time,**

**The committee rose and reported said bill without amendment.**

**On motion,**

**Said bill was read the second time, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill from the House of Representatives, entitled**

**"An act to incorporate the proprietors of the Philadelphia museum."**

**And after some time,**

**The committee rose and reported said bill with amendments, which were read.**

**Adjourned until 11 o'clock to-morrow morning.**

**FRIDAY, January 19, 1821.**

Mr. Fry obtained leave of absence for one week, from to-morrow.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and directed the Secretary to return them to the Houses in which they respectively originated, to wit:

"An act reducing the salaries of sundry public officers and the daily pay of members of the legislature."

"An act to refund to James Herrington, money paid by him to Daniel Perkins, for painting the roof of the Arsenal at Meadville."

"A supplement to an act entitled 'An act to provide for the erection of an additional court within the city and county of Lancaster.'"

"An act authorising the electors of the borough of Milton, in the county of Northumberland, to elect overseers of the poor."

"An act requiring directors of the poor to publish their respective accounts annually."

"An act authorising the appointment of commissioners, for the purpose of taking testimony relative to the original plan of the town of Armagh and recording the same."

**JOSEPH HIESTER.**

*Harrisburg, January 18, 1821.*

Ordered, To lie on the table.

Mr. Breck presented a petition from John Bioren, praying for the passage of a law, to sanction and patronize the publication

tion of a sixth volume of Smith's edition of the laws of Pennsylvania; and

The same was read and laid on the table.

Mr. M'Mullin presented a petition from sundry inhabitants of this commonwealth, praying that a law may be passed to authorise the construction of a canal navigation between the rivers Susquehanna and Schuylkill; and

The same was read, and referred to the committee on roads, bridges and inland navigation.

Mr. Wallace, from the committee to whom was referred on the 16th instant, a petition from sundry inhabitants of Huntingdon county, on leave given, reported a bill entitled

"An act to encourage the destruction of red foxes, crows and blackbirds, within this commonwealth;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to provide for the education of children at the public expense, within the city and county of Philadelphia;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The bill from the House of Representatives, entitled

"An act to incorporate the proprietors of the Philadelphia museum;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Mr. Raguet read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act concerning bills of exchange;" which was read the first time.

Agreeably to order,

The Senate, (thirty members being present) proceeded to the election of directors of the bank of Pennsylvania, the clerks being first appointed tellers, when the members voted as follows, to wit:

## BANK OF PENNSYLVANIA.

## STATE OF THE POLL.

	Thomas Leiper.	Dr. James Smith.	William K. Corry.	Mathew Carey.	John Thoburn.
William Marks, speaker,	1	1	1		
Henry Allshouse,	1	1	1		
Jacob Alter,	1	1	1		
Isaac D. Barnard,	1	1	1		
Samuel Breck,	1		1	1	
Cyrus Cadwallader,	1		1	1	
Samuel Cochran,	1		1	1	
Edward Coleman,					
Redmond Conyngham,	1		1	1	
William Davidson,	1		1	1	
Joshua Dickerson,	1	1	1		
Frederick Eichelberger,	1		1	1	
Jacob Eyster,	1		1	1	
Conrad Feger.	1		1	1	
Joseph Fry,	1	1		1	
Jacob Grosh,	1		1	1	
Rees Hill,	1	1		1	
James B. Hubley,	1		1	1	
Henry Hurst,	1	1	1		
Michael Leib,			1	1	1
Philip S. Markley,	1	1	1		
John M'Meens,	1	1	1		
Robert M'Mullin,	1		1	1	
William Piper,	1	1	1		
Samuel Power,	1	1	1		
Condy Raguet,	1		1	1	
John Sawyer,	1		1	1	
Robert Smith,	1	1	1		
Michael Wallace,	1	1	1		
Robert Willett,	1		1	1	
Henry Winter,	1	1	1		
	29	15	28	17	1

Thereupon,

The speaker declared that Thomas Leiper, William K. Cor-

sey and Matthew Carey, were duly elected directors of the bank of Pennsylvania, on the part of the Senate, for the ensuing year.

Agreeably to order,

The Senate then proceeded to the election of directors of the Philadelphia bank, (tellers as before,) when the members present, voted as follows, to wit:

### PHILADELPHIA BANK.

#### STATE OF THE POLL.

	Samuel Rodgson.	William Piersol.	Matthew Lauder.	Levile Rush.	James M. Linnard.	Robert Patterson.	J. M'Carver.	Daniel H. Miller.
William Marks, speaker,						1	1	1
Henry Allshouse,						1	1	1
Jacob Alter,						1	1	1
Isaac D. Bernard,						1	1	1
Samuel Breck,			1	1	1			
Cyrus Cadwallader,		1	1	1				
Samuel Cochran,		1	1	1				
Edward Coleman,								
Redmond Conyngham,						1	1	1
William Davidson,						1	1	1
Joshua Dickerson,						1	1	1
Frederick Eichelberger,						1	1	1
Jacob Eyster,						1	1	1
Conrad Feger,					1		1	1
Joseph Fry,					1	1	1	1
Jacob Grosh,					1		1	
Rees Hill,						1	1	1
James B. Hubley,					1		1	1
Henry Hurst,						1	1	1
Michael Leib,			1	1				
Philip S. Markley,						1	1	1
John M'Meens,						1	1	1
Robert M'Mullin,							1	1
William Piper,						1	1	1
Samuel Power,						1	1	1
Condy Raguet,					1		1	1



John Sawyer,	1	1	1					
Robert Smith,	1	1	1					
Michael Wallace,	1	1	1					
Robert Willett,	1	1	1					
Henry Winter,	1	1	1					
	<hr/>							
	24	26	22	5	4	4	4	1

Thereupon,

The Speaker declared that Alexander M'Caraher, Daniel H. Miller and Robert Patterson, were duly elected directors of the Philadelphia bank, on the part of the Senate, for the ensuing year.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eyster in the chair, on the bill entitled

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

On motion of Mr. Barnard and Mr. Wallace,

Ordered, That the usual number of copies of the existing fee-bill be printed for the use of the members.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, together with the documents therein referred to, which were read as follows, to wit:

*Secretary's Office,*

*Harrisburg, January 19th, 1821.*

SIR,

In obedience to a resolution of the Senate, of the 11th of this month, directing a copy of the correspondence between the late Governor and the mayor of Savannah, in relation to the sum of ten thousand dollars, authorised by an act of the general assembly of the 24th day of February, one thousand eight hundred and twenty, to be laid before the Senate, I have the honor of transmitting herewith, the copy of a letter from Richard M. Crain, the then treasurer of this state, to the mayor of Savannah and the mayor's answer. These letters embrace the whole

correspondence that took place on the subject betwixt ~~the~~ government and the mayor of Savannah.

It does not appear that the late Governor had any other agency in the transaction, than furnishing his draft on the treasurer, a copy of which is also herewith transmitted.

With very great respect,

I have the honor to be,

Your obedient servant,

ANDREW GREGG.

*William Marks Jun. Esq. }  
Speaker of the Senate. }*

For 10,000 dollars.

*Harrisburg, February 26th, 1820.*

SIR,

Pay to the mayor of the city of Savannah, in the state of Georgia, or to his order, the sum of ten thousand dollars, for the relief of sufferers by the late fire in that city, granted to them by an act of the general assembly of this commonwealth, passed on the twenty-fourth instant, and to be distributed according to the directions of the said act, among the said sufferers, in such manner as the magistrates of the said city may direct.

WM. FENDLAY.

*To Richard M. Crain, Esq. }  
State Treasurer. }*

*Treasury Office of Pennsylvania,*

*Harrisburg, February 28th, 1820.*

The Mayor of the city of Savannah,

SIR,

By an act of the legislature of this state, the sum of ten thousand dollars has been granted towards the relief of the sufferers by the recent fire in the city of Savannah. For this sum the Governor has drawn his warrant in your favor, and which will be paid at this office on your order when demanded.

With the view of expediting your receipt of the money, I take the liberty of suggesting, as the most safe and speedy mode of effecting the transmission thereof, that you forward a power of attorney, duly and legally authenticated, to the cashier of the

bank of the United States, in Philadelphia, he can, without risk or delay, negotiate the payment through an agent here.

I have the honor to be,

Sir, your obedient servant,

**RICHARD M. GRAIN, Treasurer**

*of the Commonwealth of Pennsylvania.*

*City of Savannah,*

*Police Office, March 11th, 1820.*

SIR,

I have the honor to acknowledge the receipt of your letter of the 28th ult. communicating to me the information that the legislature of Pennsylvania, had granted ten thousand dollars towards the relief of the sufferers by the late fire in this city; and that the Governor had drawn a warrant in my favor for that amount, payable at your office, on my order, when demanded.

I have adopted your idea, and transmitted a power of attorney to the cashier of the bank of the United States, directing him to receive the amount from you; and by another power, duly executed to the cashier of the bank of the state of Georgia, he is authorised to draw for the same on the cashier of the bank of the United States.—This arrangement, the best that suggested itself, will, I hope, meet your approbation.

This liberality of the legislature of Pennsylvania demands not only the warm unaffected thanks of the sufferers by the late conflagration of this city; but, sir, the gratitude of every citizen of Georgia.

It is an act of munificence and affectionate generosity, that is calculated to make, and will make a lasting impression upon the minds and hearts of our whole population. The chief city of this great and flourishing state has been desolated by a calamity unparalleled, as I have observed in another communication, in the history of this republic.

The contributions of our brethren and fellow-citizens, liberal as they may be, can only alleviate the distresses of the most destitute. Such has been the magnitude of losses by this destructive visitation.

The fire of 1796, was wide spread and overwhelming, and on that melancholy occasion, the legislature of Pennsylvania, and our kind hearted brethren of Philadelphia, granted and raised us contributions still spoken of by our inhabitants in

terms of affectionate recollection. This second evidence of kindness renders very dear to us, every Pennsylvanian; and I take leave, through you, to request his excellency, the Governor of your state, to accept the thanks of our sufferers, for this donation of the Pennsylvania legislature—and I pray you accept for yourself, assurances of respect and consideration.

THOS. U. P. CHARLTON,

*Mayor of Savannah.*

*Richard M. Crain, Esq. Treasurer  
of the Commonwealth of Pennsylvania.* }

Ordered, To lie on the table.

Adjourned until 11 o'clock to-morrow morning.

## SATURDAY, January 20, 1821.

The speaker laid before the Senate a letter and documents from the Auditor-General, which were read as follows, to wit:

*Auditor General's Office, 19th Jan. 1821.*

SIR,

The sum of 4,000 dollars, was advanced to Mr. John Melish, in pursuance of and subject to the provisions contained in the sixth section of the act of the 19th March, 1816, entitled "An act directing the formation of a map of Pennsylvania."

This money was advanced Mr. Melish for the purpose of purchasing materials and paying the necessary expenses of the publication of the state map, to be accounted for from time to time, to the Auditor-General.

After the money had been in his hands about two years, I called on him for a settlement—the correspondence on this call will be found in the journal of the Senate of the session of 1818-19, page 420; this correspondence was asked for by the Senate—the report of the committee of that body, thereon, will be seen in page 481.

My impression at that time was and still is, that the money had been advanced too soon, and that it would have been proper in Mr. Melish to have returned at least a part of it to the state treasury, there to await an actual occasion for it; my object now in urging him to a settlement, and which I have been doing for some time past, is simply to get him to settle his account of the expenditures for the purchase of materials and necessary expenses, on account of the state map to the present time; he alleges that he is not bound to make settlement until *after* the publication of the state map; he consented, however, to furnish a statement of what he alleges to be his services and disbursements in relation to the county and state maps, and which he has done; a copy of the same is herewith communicated, with some letters of Mr. Melish, and copies of my answers, written since those noticed in the journal of the Senate as before mentioned. As I am of a contrary opinion and have adopted such measures against Mr. Melish as the law and my duty require, to enforce an exhibition of vouchers to sustain his statement of disbursements on account of the state map, I deem it proper that the legislature should be acquainted with the subjects of difference between Mr. Melish and myself: and that the ground of my opinion may be also known I respectfully submit the following views.

The act of the 30th March, 1811, entitled "An act to amend and consolidate the several acts, &c." vests full power in the Auditor-General over all persons in possession of public monies, and all papers necessary for the settlement of the public accounts. Mr. Melish is the only person since I have been in office who *refused* exhibiting receipts for the disbursements of public monies.

There is in my opinion a clear distinction in the nature of the responsibility of Mr. Melish, under the 5th and 6th sections.—The duty of Mr. Melish under the 6th section is to account *before* the publication of the map and that too from *time to time*, (The 29th section of the act of the 30th March, 1811, vests the accounting officers with powers to fix the time of such settlements). The duty of Mr. Melish under the 5th section is to settle every six months *after* the publication of the map. If the Auditor-General cannot enforce an exhibition of an account and the necessary vouchers, before the publication of the map, the time of such exhibition would be wholly in the power of the publisher of the map.

But in respect to the statement as exhibited to me, there are several objections other than what arise from a want of vouchers. It contains charges in relation to the *county maps*.

It contains charges for *services*, and that too *before* the act authorising the state map had been passed.

The act contemplates the delivery of a copy of each county map to the publisher *free of expense*. The 9th section expressly exempts the state from any expense in relation to the publication of them.

In respect to the *personal services* of the publisher, I conceive that none can *now* form a claim on the commonwealth; that none can be allowed out of the \$4,000; that his *services* are expressly provided for in the 5th section, payable *after* the publication of the map, out of the sum of 1500 dollars thereby appropriated. That the appropriation of 4,000 dollars is expressly for *actual disbursements in the purchase of materials and paying the necessary expenses of the publication*.

In respect to the quantum of compensation claimed and the time charged, as having been consumed, I offer no remark.

In the view I have taken there is but a very small part, indeed, of Mr. Melishes account applicable to the state map and for which he can be credited in his accounts of the advance of 4,000 dollars.

If, however, my views be incorrect and the statement be a correct exhibition of the claim of Mr. Melish, further legislative provision will have to be made to meet his views, not only in a further appropriation of money, but by a grant of further powers to the accountant officers in the adjustment of his accounts. I am however proceeding against Mr. Melish on my own construction of the laws and my duties under them.

These views are respectfully submitted to the honorable the Senate to prevent embarrassments and delay in the publication of the state map.

I am, sir,

Very respectfully,

Your most obedient servant,

GEO. BRYAN.

To the honorable the speaker of }  
the Senate of Pennsylvania. }

*Auditor-General's Office, 30th November, 1820.*

SIR,

As you have now arrived at the seat of government, I shall expect you will immediately render to me an account of your

disbursements on account of the materials necessary for the state map.

Respectfully, &c.

GEO. BRYAN.

*Mr. John Melish.*

*Harrisburg, 5th December, 1820.*

SIR,

I received your letter of the 30th ult. while the map was undergoing an examination by the Secretary and Surveyor-General, and declined an answer until the examination was completed. The following extracts from the opinion of these gentlemen, will, I presume be satisfactory.

"In compliance with your request for our opinion of the map of Pennsylvania, which you have submitted for our inspection, we take this occasion, after a very critical examination of all its parts, to say that it meets our entire approbation."

"Being aware of the numerous difficulties which have attended the progress of this work, and that the completion of the county maps and also corrections of many errors in them, which was indispensable to the accuracy of the state map, were not within your control, we consider it but justice to add, that it was not in your power to complete the drawing at an earlier day."

From these extracts you will be satisfied, I trust, that so far I have discharged my duty and that the delay in publishing the map is not attributable to me. You are already in possession of my sentiments in regard to the construction of the act of assembly for forming the state map, as relates to the accounts, viz: That my accountability at your office does not "commence till six months after the publication of the map in terms of the 5th section."—See my letter of second December, 1818. I have only to add on this head, that our correspondence on the subject being referred to a committee of Senate, that committee, after a very full examination of the law, made report on the 22d March, 1819, favorable to that construction, and this report was acquiesced in by the Senate.

It may be proper to state, however, that although I cannot bring my accounts to a close, so as to render a statement at your office, before the map is ready for publication, yet I am really in advance upon the work above \$1,200, and it will yet require an expenditure of more than \$8,000 to complete the engraving and publish the first edition of the map. Of all

these matters I shall render an account to the Secretary and Surveyor-General, to whom I refer for further particulars.

I am, very respectfully,

Sir,

Your obedient servant,

JOHN MELISH.

*George Bryan, Esq. Auditor-General.*

*Harrisburg, 6th December, 1820.*

SIR,

As you are of opinion that it will be necessary to account at your office for the four thousand dollars advanced on account of the state map, at an earlier period than is stated in my letter of yesterday, failing which you consider it necessary to institute an action against my securities:—I beg leave to make the following remarks.

The work in question is a most important one, in which the state has gone to great expense. I have labored on it with an assiduity almost beyond my strength. Without the countenance and confidence of the gentlemen who have the management of the public affairs of the state, assuredly, I cannot bring it to maturity. I have so far fulfilled my contract,—of this the letter of the Secretary and Surveyor-General, of which I gave you extracts yesterday, is decisive evidence. I have expended in money and work the whole four thousand dollars, and twelve hundred dollars more; but I cannot, in the present stage of the business, make out the accounts nor produce the necessary vouchers:—I can do it, however, to a certain extent, in a little time:—Now, what I would suggest is this:

In the course of a few days the Secretary and Surveyor-General will make a report on the map to the legislature, which I have reason to believe will be favorable and satisfactory. This will then pave the way for receiving my bill, claiming one thousand dollars, for extra surveying, which passed the Senate last session. It is probable that bill will pass. The drawing of the map speaks for itself; and I shall, in terms of the 5th section of the act, make out my bill for it. The other expenditures necessary to bring the work to a publication I shall account for as far as possible, with the necessary vouchers, and shall at the same time endeavor to make a new arrangement about the engraving. If you are satisfied about that, I presume you will see no difficulty, from what I verbally stated, about bringing to maturity the other parts of the work, at least so far as to fulfil my contract.



To accomplish all this will require a reasonable time, because I must send to South-Carolina for one of the vouchers.

I will thank you to favor me with an answer to this letter, and am respectfully,

Sir, your obedient servant.

JOHN MELISH.

*George Bryan, Esq. Auditor-General.*

*Auditor-General's Office, 8th Dec. 1820.*

SIR,

Your two letters, of the 5th and 6th instant, are now before me, in consequence of which, and of your letter to the Secretary of the Commonwealth and Surveyor-General, I shall delay further proceedings against you, for thirty days, from the date hereof.

I am, sir,

Your obedient servant.

GEO. BRYAN.

*John Melish, Philadelphia.*

*Philadelphia, 9th Dec. 1820.*

SIR,

On my arrival here I was proceeding to arrange my accounts, so as to send you the statement agreed upon, when I was sent for by Mr. Carey, one of my securities, who informed me that he had received information from Harrisburg, that you was to sue my securities, for refunding two thousand dollars of the money advanced by the state, for the purpose of purchasing materials and paying the necessary expenses of the publication of the state map.

As you agreed to give me time to furnish my statements, I presume the information is incorrect; but as Mr. Carey is very anxious on the subject, and as I look to him as my principal support, I shall be much obliged to you to write me, having reference to my letter of the 6th instant.

I have this day written to the Secretary and Surveyor-General, urging them to furnish their report as quickly as possible to the legislature, as the best means of satisfying the public generally as to the important work in hand. I have requested them, at the same time, to authorise me to contract with the engravers, in terms of the 5th section of the act, and to fix upon the number which they will require to be printed, in terms of the 3d section. You will see by the act that this is necessary to enable me to satisfy you how the work is to come to maturity.

In regard to my accounts, I shall now be guided by this principle; to charge the state with all monies expended on account

of the materials necessary for the map, together with a reasonable compensation for my time and that of my assistants. When these accounts are presented, you will be satisfied, I trust, that I have not only discharged my duty to the state, but have made extraordinary exertions to bring their work to maturity.

I am, very respectfully,

Sir, your obedient servant.

JOHN MELISH.

*George Bryan, Esq. Auditor-General }  
of Pennsylvania. }*

*Philadelphia, 13th December, 1820.*

GEORGE BRYAN, Esq.

*Sir,*

I wrote you on the 9th, to which I refer, since which I have received your letter of the 8th, intimating that you will delay further proceedings for thirty days.

I am just now engaged in making out my accounts, which shall be transmitted to you as early as in my power, accompanied by the necessary explanation, and shall then lay the whole case before the legislature, by memorial. In the mean time, as I wish to have a clear understanding with my securities, I beg you will favor me with an answer to the following queries.

1. Have I not produced evidence that I have thus far fulfilled my contract?

2. Was not the four thousand dollars intended to pay the necessary expenses of publication, including the engraving?

3. Can any proceedings be instituted against me or my securities for a breach of contract until we have time to complete the engraving?

4. Am I not entitled to draw on the fund of one thousand five hundred dollars, provided for by the act, as the items of services for which it is allotted are executed and approved of?

For your government in answering these questions, I beg leave to state, that the engraving is estimated at three thousand and ninety-four dollars, and with the necessary additions and alterations, will probably amount to three thousand five hundred dollars, and the time necessary to complete it will be at least equal to twelve months. The importance of the work to the state, and the great labor which I have expended upon it, urges me to endeavor to have a clear understanding regarding it, and I will thank you to send me an answer as early as possible, that I may lay it before Mr. Carey.

I am, with respect,

Sir, your obedient servant.

JOHN MELISH.

*Philadelphia, 20th Dec. 1820.*

GEORGE BRYAN, Esq.

Sir,

I wrote you on the 13th, to which I refer. I now send you the account of expenses incurred on the map of Pennsylvania, from which you will see that I am in advance on the whole work, as follows:—

State map,	\$ 946 02
County surveys,	1000 00
County maps published,	1571 00
	————\$ 5517 02

Annexed to the account are certain explanatory remarks, which I have endeavored to make so clear that I have nothing to add on the subject.

As the speaking to my securities excited considerable anxiety, I have written to Mr. Hill and Mr. Wyeth, stating that I have forwarded the accounts to you, and that you would show them upon application. To this I hope there will be no objections.

It may be satisfactory to state, briefly, the reasons why I did not bring the accounts with me when I was last at Harrisburg. You know, that from the commencement of the business, I was of opinion that my accounts could not be adjusted and settled until the business was closed. We had a discussion on that question, before which I viewed it as set at rest, by a decision of the Senate. The business in which I was engaged involved very ardent labor of both body and mind, and I was unwilling to interrupt it to make up my accounts. I knew I was largely in advance, but that was the least part of my concern.—I was only eager to bring the work to maturity.

I had only got the drawing finished two or three days before I set out for Harrisburg. I saw that it would take me ten or twelve days to make out my accounts. I was eager to get the work approved of and put into the engraver's hands, and was very unwilling to lose time by making out accounts. But I stated, in general terms, that I was considerably in advance, and was prepared to show that I must be a great deal more in advance before the work was published. I produced evidence to show that the engraving alone would cost from three thousand to three thousand five hundred dollars, and that I could get it well executed by paying one thousand five hundred dollars while the work was progressing. I had no doubt, that under all circumstances, I would, as soon as the drawing was examined and approved of, be able to appropriate the one thousand five hundred dollars, provided by the 5th section of the act, towards

the engraving, in which case there was no further difficulty with the work. It was so clearly the interest of the state that this should be done, that I never for a moment doubted but my proposition would have been readily assented to. I can only say, that my surprise at the refusal can only be exceeded by my astonishment at the circumstance of my securities being spoken to,—with how little reason let the accounts bear testimony. I have now only to add, that I would not go through the same labor again for ten thousand dollars, and no inducement on earth would ever persuade me to suffer so much torture and anxiety of mind as I have done, first and last, about this map. The subject is now ready to be put into the hands of the engraver, and nothing remains but to let me know how he is to be paid. The funds put into my hands are exhausted, and a great deal more, that I starved my other business to advance. I am very desirous to bring the work to maturity, and shall do every thing in my power to do so, but I am not willing to take upon my shoulders any further burden upon the subject. I have received a letter from the Secretary and Surveyor-General authorising me to contract for the engraving, but I shall decline it until I see how it is to be paid.

I am, sir,

Your obedient servant.

JOHN MELISH.

*Auditor-General's Office, 22d Dec. 1820.*

SIR,

I received, in due course of mail, your letter of the 13th instant, in which you call on me to answer questions therein proposed.—From the views which had been presented by me to you at different times, particularly when two of your sureties with yourself were in this office, I could not have expected a call on me like that in the abovementioned letter.—I did not therefore deem it necessary to answer it.

Your letter of the 20th instant, with the statement enclosed, this day received, are now before me, and I lose no time in giving my view thereon, which in fact will be but a repetition of what I had several times before given you.

The sum of four thousand dollars was advanced you for the purpose of purchasing materials and paying the necessary expenses of the publication of the state map. Now, I want from you an account, with the necessary vouchers, of your disbursements on account of the state map;—this is all I ask of you, and all which my duty now requires to ask.—The 5th section of the act authorising the formation of a state map contains my authority for so doing.

The provisions contained in the 6th section, as they respect the duties of the Auditor-General, will not be operative until after the completion of the map.

From this concise view then, it will be seen, by a single glance at your statement, that notwithstanding all the explanations which have been made by me, you have not complied with my calls to exhibit your account; it is true a small part of the statement is applicable, but such parts are without any vouchers to support them.

I therefore repeat my call on you, to render to me an account of the actual disbursements by you, for materials and paying the necessary expenses for the publication of the state map, with the receipts or vouchers for the said disbursements.

I am, sir,

Your most obedient servant,

GEO. BRYAN.

*Mr. John Melish, Philadelphia.*

*Philadelphia, 26th December, 1820.*

GEORGE BRYAN, Esq.

Sir,

Your letter of the 22d was only received this day; by referring to my letter of the 9th, you will see the reason why I addressed the queries to you on the 13th—my securities were threatened with a suit, and it was desirable to ascertain the grounds on which it was proposed to be instituted.

I may remark here, that I was informed before I left Harrisburg, that very ill-natured remarks were in circulation as regarded my operations on the map, and in particular it was given out, that I was trifling away the time in order to retain the public money. The letter to one of my securities here was very pointed in other respects; from its tenor it appeared to me as if something had been concluded on after I left Harrisburg, for it stated expressly, that a suit was proposed to be instituted for refunding \$2,000 of the money advanced by the state. It struck me as a very remarkable co-incidence, that this was the very sum that I was called upon to refund by your letter of 16th November, 1818, and it was no less remarkable, that in the same letter, the *first* reflections occur as to the loss of time or delay in forwarding the map.

As the Secretary and Surveyor-General were the only persons beside myself, who could form a correct opinion as to the causes of the delay, I trusted that their report would soon put all sur-

mises to rest on that head. It is now published and most effectually clears me of all blame on that score. But it does more; it shows the great degree of labor it has taken to bring the work to maturity, while it unequivocally pronounces that it promises to be one of uncommon excellence. To put all surmises at rest as relates to the public money, I consider it proper to make out an account *of the whole of my expenditure on the whole of the work*, and the result is, that so far from having public money in hand, I am in advance \$3,517 02. Having the engraving yet to provide for, and considering that I cannot by any means get more than \$2,500 towards it, while it will cost from \$3,000 to \$3,500 to execute it, it is very obvious that I can receive no part of the large advance until after the map is published. It is equally clear, that until then I can reap no advantage as publisher—why then should I trifle with time? It is an absurdity to suppose it, and no person will suppose it who knows any thing of labor that has to be undergone in bringing such a work to maturity.

You object to this mode of stating the account, as showing too much. I can only say, that until the map actually comes to a publication the account cannot possibly be settled, and none but interim accounts can be sent, and it is my desire that these should show *the whole expenditures of every kind on the whole subject*. I will send them no other way; because I will not put it in the power of any person to exhibit a partial statement and then denounce me as a delinquent at the treasury. If you wish to see the part of the account that I consider applicable to the \$4,000, you have only to take the gross amount \$7,517 02, and deduct,

1816—May 29, Commission,	\$ 4 00
1817—July 31, Expenses going to Chester county and back,	37 00
1820—April 3, Making copy of projection for the drawing,	20 00
June 1, Compiling the map of Chester county,	85 00
Nov. 26, Drawing the state map Pennsylvan- ia, part,	1,300 00
Claim for executing county surveys,	1,000 00
Publishing county maps,	1,571 00
	<hr/>
	4,017 00
Commissions, December 7, letter G	23 50
	<hr/>
	4,040 50
	<hr/>
	3,476 52

Leaves the sum disbursed, in money and labor, for the purpose of purchasing materials and paying the necessary expenses of the publication.

The foregoing is my view of the accounts, from which you will see, that I consider \$3,476 52 applicable to your call. You state that a *small* part only is applicable—we differ in opinion.

As to vouchers I cannot send them at present—When we come to settle accounts in terms of the law, it will then be necessary for me to comply with the terms of the law, and to satisfy you of the correctness of every item, before I can get credit for it. I am aware of that and will be provided for it, at present my other duties will not permit me to waste more time on these accounts. Look, I pray you again at the law, and see where you find any thing about *vouchers*. The 6th section of the act requires no such thing; the 5th requires me to render an account on oath or affirmation. Had vouchers been required in the contract, I would have spurned it from me with disdain. Had I anticipated that I would have had any transactions with any other than the Secretary and Surveyor-General, before the map was ready for publication, I would have done the same thing; vouchers indeed! in this unfinished stage of the business!—Look at the account, and say how it is possible to procure them. For example, your letter received this day cost 12½ cents postage, Is it to be understood that I am to get the postmaster's receipt for that? God help the geography of the United States if this is the kind of obligation to be imposed upon state map-makers, and God send me safe out of the state of Pennsylvania, if I am to be tortured and teased to death about flipenny bits, when I ought to be showing the engraver how to regulate his proceedings, in order to bring the work to a conclusion.

From what I have said, I dare say you will now be satisfied that we differ in toto, as to the whole procedure in regard to this map. Fortunately we have the law to appeal to, and I consider myself just as capable of understanding it, as regards my duties, as you do as regards yours. The object seems to me to be, to stop the work, and it shall not be stop'd if I can help it. In these difficult times I may be beat from my purpose; but if so, it will be the first time; and, at all events, I shall die in the last ditch. I have this in my favor, that when we differed in opinion before, the case was referred to the Senate and it was decided that I was right. *I was right*—and no decision could, in justice, be given otherwise. I am conscious that the case is now a thousand times more strong in my favor; and I cannot, for a moment doubt, that the Senate, that respectable body, will protect their own work (for it was there it originated), and enable me to

this date, ten days, \$5,  
Postages and incidental expenses,

C	50	
B	5	12
	<hr/> 430 12	

1817.

January 16—Expenses going to Harrisburg, \$10 50

Time on the journey, and at Harrisburg, 8 days, \$5, 40 00

Expenses returning, 10 50

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61 00

Having other business at Harrisburg, deduct half, 30 50

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B 30 50

July 31—Expenses and time going to Chester county about the county map, B 37

Time laying out the first projection for proving and correcting the county maps, D 120

Materials for do. and mounting, A 4 50

August 8—Time examining and correcting county maps, C 17

December 31—To searching records of county lines, C 2 50

Postages and incidents, B 3

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214 50

1818.

November 12—Time on the county maps to this date, including statistical table, correspondence, &c. C 250

December 30—Ditto, to this date C 123

Postages, carriages and incidents, B 6 50

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379 50

1819.

January 17—Time on the county maps, C 45

Expenses going to Harrisburg, B 10 50

Attendance there 59 days, \$244 00

Having other business there, deduct half, 122 00

---

B 122

March 17—Expenses returning, B 10 50

Time reducing the county maps, 20 days at \$3, C 60

June 30—Paper for ditto, A 3

December 30—Time making the 2d projection of the state map and adjusting the county lines, myself and assistant, 70



days, \$8,	D	560	
Postages, carriages and incidents,	B	4 25	
			<u>815 25</u>

1820.

January 8—Time making the 3d projection extending to Washington,	D	66	
Paper and materials for these projections,	B	6	
Expenses going to Harrisburg,	B	10 50	
Time at Harrisburg, from 10th Jan- uary to 1st April, 81 days, at \$5, \$405 00			
Having other business, deduct half, 202 50			
	B	202 50	
March—Prospectus and paper,	B	15	
April 3—Expenses returning,	B	10 50	
Time making a 4th projection of the map with the county lines, as adjusted at Har- risburg, myself and assistant, 10 days,	D	80	
Ditto, making a copy in sheets for the draw- ing,	D	20	
Paper and materials for these projections,	A	3	
June 1—Time compiling the map of Ches- ter county, from James Hindman's, mate- rials, 17 days,	B	85	
Paper for ditto,	A	15	
			<u>488 65</u>
			<u>1,839 37</u>

November 26—Drawing the state map from  
the materials as adjusted and corrected,  
occupying the time of myself and two as-  
sistants, from 1st June to this date:

Pennsylvania part,	\$1,300 00	E
Adjacent states,	658 00	F

1958

Expenses to Harrisburg,	B	10 50
Time there and going & returning, 12 days,	B	60
December 7—Expenses returning,	B	10 50
		<u>2527 65</u>

*Materials used during the progress of the work.*

3 Large maps of Pennsylvania,	A	24
5 Reduced, ditto,	A	12 50
1 Ditto, New-York, large,	A	10
1 Ditto, do. reduced,	A	5
2 Eddy's, New-York,	A	20
2 Ditto, circular map round New-York city,	A	10
2 Maps New-Jersey,	A	16

2 Ditto, Ohio,	A	20
2 Ditto, Virginia,	A	24
2 Ditto, Maryland,	A	17
3 Pair proportional compasses,	A	37
3 Cases mathematical instruments,	A	30
Pencils, brushes, China ink, colors, &c.	A	20
		<hr/> 243 50

*Materials on hand for the Map.*

24 Reams atlas paper, \$50;	A	75
1 Ditto, major atlas,	A	75
1 Ditto, eagle,	A	85
Commission thereon, 10 per cent.	G	23 50
		<hr/> 258 50
Tanner & Kearney, drawing vignette and title,	B	50
Incidental expenses, correspondence, carriages and postages,	B	25
		<hr/> 75 00
		<hr/> \$4,946 02

*Claim for executing County Surveys.*

Philadelphia county,	H	600
Delaware county,	H	600
Montgomery county,	H	400
		<hr/>
	H	1600
Received to account,		600
		<hr/> 1000

(For this \$1,000, a bill passed the Senate but did not pass the House of Representatives.)

*Expenses incurred in engraving and publishing County Maps.*

Dauphin and Lebanon,	400
Huntingdon,	450
Montgomery,	200
Philadelphia,	300
Somerset,	350
Part of Luzerne,	150
Prospectus of the state atlas,	21
Trouble and expense of procuring materials for ditto,	20
	<hr/> 1,891

*Received for*

Dauphin and Lebanon,	\$184	
Philadelphia,	100	
Huntingdon,	6	
Montgomery,	26	
Somerset,	4 50	
	<hr/>	320 50
		<hr/> 1571
		<hr/> \$7,517 02

**GENERAL ABSTRACT.**

State map, materials,	A 622 15 A	
Expenses necessary in comparing and correcting the materials, including journeys to Harrisburg,	B 859 87 B	
Preparing the materials,	C 632 50 C	
Laying out the map, five different copies, and adjusting the county lines,	D 836 D	
Drawing the map—Pennsylvania part,	E 1300 E	
Ditto, adjacent states,	F 658 F	
Commissions,	G 27 50 G	
	<hr/>	4,946 02
County surveys, per documents, in the House of Representatives,	H 1000 H	
Maps and state atlas, expense of engraving and publishing,	I 1571 I	
	<hr/>	2,571
		<hr/> 7,517 02
Received to purchase materials and defray the necessary expenses of publication, per act, section 6,		4,000 00
		<hr/> \$3,517 02

Leaves an advance of

*General Remarks.*

By the act for forming the state map two several sums were to be paid to the publisher, viz:

For the purpose of purchasing materials and paying the necessary expenses of the publication, see section 6, 4,000, 00  
(This sum was paid at the time of making the contract.)

For the publisher's "services in drawing the map, in

purchasing the requisite materials, superintending  
the engraving, printing, &c. 1,500 00

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5,500 00

(The last sum is not yet paid, and was not considered  
by the publisher to be payable until the drawing would  
be executed and approved of.)

The labor and expense of procuring the materials and  
constructing the map, has been much greater than was  
anticipated, and it will be seen, that exclusive of the  
county surveys and publishing the county maps, the  
expenses of publication have exceeded the \$4,000 ad-  
vanced, by 946 02

To which, add the expense of county sur-  
veys, \$1,000 00

And of publishing the county maps, 1,571 00

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2,571 00

It shows the total advance of the publisher, to be \$3,517 02

*Upon the various items composing the expense of preparing the  
materials and constructing the state map, the following ex-  
planatory remarks may be made:*

A. The materials purchased are all that are necessary to print  
the requisite number for the state and to supply the first sub-  
scribers, after which the work will pay for itself.

B. This necessary expense of publication, is all money paid  
out, and requires no comment.

C. The preparing of the materials was a most necessary part  
of the publication. The sum will not appear large, when it is  
considered that every county map had to be minutely examined  
by *townships* and by the post office list, and much trouble oc-  
curred in making the various corrections and adjustments.

D. The projection of the map is different from the drawing.  
The circumstance of making five different projections, prepara-  
tory to the drawing, shows the extraordinary pains that were ta-  
ken, and the whole of this trouble was essentially necessary to  
the accuracy of the map.

E. The drawing of the map of Pennsylvania, is provided for  
by the \$1,500 fund mentioned in the act, section 5. The other  
items are comparatively trifling, and it is hoped there will be no  
objections to pay the whole sum to assist with the engraving of  
the map.

**F.** The drawing of the adjacent states makes no part of that of Pennsylvania, but is a most necessary part of the expense of preparing the map, inasmuch as it stamps a great additional value on it. Some of the subscribers have stated, that they would give one third more for the map, with the addition from Baltimore to Washington, than without it. Making these great additions without any additional charge being contemplated for the mounting, shows at least the disinterestedness of the publisher, and he hopes he will be met by the public with corresponding liberality.

**G.** The small commissions charged do not merit notice.

**H.** The charge for executing the county surveys will require an act of the legislature to enable the Auditor-General to give credit for it. It is fully explained by documents now in the House of Representatives, the case was well understood in Senate last session, and the bill passed that body by a large majority.

**I.** The sum for which the publisher is in advance, on the county maps, is only exhibited to show the extent of his advance upon the state work. On the county maps he will be a considerable loser; but as this is a matter wholly his own, he is willing to submit to the loss without repining, but he hopes he will be enabled to make up the loss by the prompt publication of the state map.

It is now respectfully submitted, whether it would not be expedient to apply the fund of \$1,500, provided by section 5, to defray in part, the expense of engraving; and it is hoped the legislature will pass the bill, enabling the Secretary and Surveyor-General, or Auditor-General, to apply the \$1,000, for executing the county surveys, to the same purpose, in which case there will be no further difficulty with the work.

*Note.*—A further remark may be made in illustration of the accounts. The time and trouble of preparing this map has exceeded all calculation; but, I find upon making the enquiry, that it has been the case with all maps from actual survey. The time alone of myself and assistants, at a very moderate charge, would exceed \$4,000, viz:

Edward Paguenaud,	96 days,	at \$3,	\$288 00
James Finlayson,	150	do.	450 00
I. G. Melish,	254	do.	762 00
J. Melish,	511½	\$5,	2,556 50
			<hr/>
			4,056 50

The time here mentioned was not ordinary working hours, 5 or 6 per day, but was generally 8 or 10. During the last sum-

mer, indeed, when we were drawing the state map, the time employed was generally from daylight in the morning until daylight failed us at night—say 12 or 14 hours.

Certificates attesting all the facts herein stated, can be given if required.

JOHN MELISH.

*Philadelphia, December 19th, 1820.*

On motion,

Said letter was again read, and with the documents referred to Mr. Davidson, Mr. Power, Mr. Conyngham, Mr. Eichelberger and Mr. Cadwallader.

Mr. Conyngham presented a petition from sundry inhabitants of this commonwealth, praying for the passage of a law for the construction of a canal navigation, between the river's Susquehanna and Schuylkill; and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Breck, from the committee to whom was referred, on the 19th ult. the petition of the Pennsylvania Society, for promoting the abolition of slavery, on leave given, reported a bill entitled

"An act for the entire abolition of slavery in Pennsylvania;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to incorporate the proprietors of the Philadelphia museum;" was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Conyngham and Mr. Raguet,

The resolution read on the 9th instant, relative to the telescope, was again read, considered and adopted, and referred to the committee appointed on the 9th ult. on the subject of the state capitol.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Reger in the chair, on the bill entitled

**"An act to legalise the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes."**

And after some time,

The committee rose and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Grosh in the chair, on the bill entitled

**"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."**

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. M'Mullin and Mr. Davidson,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill entitled

**"An act to continue in force a supplement to the act entitled "An act to establish a board of wardens for the port of Philadelphia, for the regulation of pilots and pilotages, and for other purposes therein mentioned."**

And after some time,

The committee rose, reported progress and obtained leave to sit again on Friday next.

The clerk of the House of Representatives being introduced presented for concurrence, a bill entitled

**"An act for the relief of the heirs of James Moore, deceased, and for other purposes;"** which was read the first time.

He returned the resolution relative to an "executive office in the state capitol;" and

Informed that the House of Representatives have passed said resolution without amendment.

Adjourned until 11 o'clock on Monday morning.

mer, indeed, when we were drawing the state map, the time employed was generally from daylight in the morning until daylight failed us at night—say 12 or 14 hours.

Certificates attesting all the facts herein stated, can be given if required.

JOHN MELISH.

*Philadelphia, December 19th, 1820.*

On motion,

Said letter was again read, and with the documents referred to Mr. Davidson, Mr. Power, Mr. Conyngham, Mr. Eichelberger and Mr. Cadwallader.

Mr. Conyngham presented a petition from sundry inhabitants of this commonwealth, praying for the passage of a law for the construction of a canal navigation, between the river's Susquehanna and Schuylkill; and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Breck, from the committee to whom was referred, on the 19th ult. the petition of the Pennsylvania Society, for promoting the abolition of slavery, on leave given, reported a bill entitled

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The bill from the House of Representatives, entitled

"An act to incorporate the proprietors of the Philadelphia museum;" was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Conyngham and Mr. Raguet,

The resolution read on the 9th instant, relative to the telescope, was again read, considered and adopted, and referred to the committee appointed on the 9th ult. on the subject of the state capitol.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill entitled



**"An act to legalise the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes."**

And after some time,

The committee rose and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Grosh in the chair, on the bill entitled

**"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."**

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. M'Mullin and Mr. Davidson,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill entitled

**"An act to continue in force a supplement to the act entitled "An act to establish a board of wardens for the port of Philadelphia, for the regulation of pilots and pilotages, and for other purposes therein mentioned."**

And after some time,

The committee rose, reported progress and obtained leave to sit again on Friday next.

The clerk of the House of Representatives being introduced presented for concurrence, a bill entitled

**"An act for the relief of the heirs of James Moore, deceased, and for other purposes;"** which was read the first time.

He returned the resolution relative to an "executive office in the state capitol;" and

Informed that the House of Representatives have passed said resolution without amendment.

Adjourned until 11 o'clock on Monday morning.

**MONDAY, January 22, 1821.**

Mr. Leib presented three petitions of similar tenor from sundry inhabitants of the city and county of Philadelphia, stating that the present auction laws constitute a monopoly; and praying that a law may be passed to abolish the same; and

Said petitions were read, and referred to Mr. Leib, Mr. Sawyer, Mr. Raguet, Mr. Alter and Mr. Hubley.

On motion of Mr. Breck and Mr. Raguet,

Ordered, That the petition presented on the 13th instant, relative to sales at auction by unlicensed auctioneers, be referred to the last named committee.

Mr. Hill presented a petition from Ezekiel Shelcut and George Shelcut, praying to be compensated for a tract of donation land, to which they allege themselves to have become entitled in right of their father, who served as a soldier during the revolutionary war; and

The same was read and referred to the committee on claims.

Mr. Cadwallader presented a remonstrance from sundry inhabitants of Bucks county, against the repeal of that part of the law regulating fisheries in the river Delaware, which prohibits the use of drift-nets or gilling seines; and

The same was read and laid on the table.

Mr. Barnard presented nine remonstrances of similar tenor from sundry inhabitants of Delaware county, against the passage of a law to annex parts of the townships of Birmingham and Thornbury, to the county of Chester; and

The same were read, and referred to Mr. Barnard, Mr. Breck and Mr. Eichelberger.

Mr. Breck presented a petition from the Philadelphia Society for promoting agriculture, praying that a supplement may be passed to make certain alterations and amendments to the bill entitled

“An act for the promotion of agriculture and domestic manufactures;” and

Said petition was read, and referred to the committee on agriculture and manufactures.

Mr. Raguet presented a petition from the select and common councils of the city of Philadelphia, against the enactment of a law to authorise the auctioneers in said city, to expose goods for sale on the public pavements and in the streets; and

The same was read, and referred to the members from the city and county of Philadelphia.

Mr. Grosh, from the committee on the subject of the state capitol, reported a bill entitled

"An act providing for the furnishing of the state capitol and for other purposes therein mentioned;" which was read the first time.

Mr. M'Meens, from the committee appointed on the subject on the 10th instant, on leave given, reported a bill entitled

"A supplement to an act entitled "An act to authorise the Auditor-General to settle and adjust the accounts of the treasurer and managers of the Susquehanna lottery;" which was read the first time.

Mr. Breck, from the committee to whom was referred on the 15th instant, a petition from the select and common councils of the city of Philadelphia, on leave given, reported a bill entitled

"A supplement to an act entitled "An act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill;" which was read the first time.

The bill, entitled

"An act to legalise the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes;" was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill, entitled

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes;" was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

A motion was made by Mr. Raguet and Mr. Winter, and read as follows, to wit:

**"Resolved, That a committee be appointed to enquire into the expediency of reducing the charges of inspection on flour, bark, beef, pork, shad, herring, butter, lard, whiskey, gunpowder, staves, heading, shingles, boards, plank and timber, within the city and county of Philadelphia."**

On motion,

Said resolution was again read, considered and adopted; and

Ordered, That Mr. Raguet, Mr. Davidson, Mr. Barnard, Mr. Cochran and Mr. Dickerson, be a committee for the purpose therein expressed.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill from the House of Representatives, entitled

**"An act vesting a title to thirty acres of land, in Upper Mahanoy township, Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans."**

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill entitled

**"An act to annul the marriage contract of James Allen and Jane his wife."**

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Eyster in the chair, on the bill entitled

**"A further supplement to an act entitled "An act to authorize the Governor to incorporate a company to make a lock navigation on the river Schuylkill."**

And after some time,

The committee rose and reported said bill with amendments, which were read.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing that he had this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of Christian Horner, a justice of the peace of the county of Cambria.

Ordered, To lie on the table.

On motion of Mr. Dickerson and Mr. Power,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers;" postponed for the present on the 13th instant.

The question recurring,

Will the Senate agree to strike out the words "and to John Morrison, of Huntingdon county."

The yeas and nays were required by Mr. Wallace and Mr. Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Barnard, Cochran, Davidson, Dickerson, Eichelberger,	Messrs. Eyster, Feger, Grush, Sawyer, Smith,
	11.
NAYS.	NAYS.
Messrs. Alter, Breck, Conyngham, Hill, Hubley, Hurst, Markley, M'Meens,	Messrs. Piper, Power, Raguet, Wallace, Willett Winter, Marks, Speaker,
	15

So it was determined in the negative, and the section was then agreed to.

The title being agreed to,

Ordered, That said bill be prepared for a third reading.

Adjourned until 11 o'clock to-morrow morning.

**TUESDAY, January 23, 1821.**

Mr. Markley, from the committee on the judiciary system, to whom was referred on the 16th instant, a petition from sundry inhabitants of Huntingdon county, reported a bill entitled

"An act authorising the judge of the District Court, of the city and county of Lancaster, to try certain causes in Huntingdon county;" which was read the first time.

Mr. Conyngham, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That they have compared and presented to the Governor, for his approbation, the following Resolution and bills, viz.

"Resolution relative to an executive office in the state capitol."

"An act to enable Catharine Augusta Newbold and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate."

"A supplement to the act entitled "An act, to provide for the education of children at the public expense, within the city and county of Philadelphia;"

Ordered, To lie on the table.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and resolution of the general assembly, and directed the Secretary to return them to the Houses in which they respectively originated, to wit:

"An act to enable Catharine Augusta Newbold, and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate."

"A supplement to the act entitled "An act to provide for the education of children at the public expense, within the city and county of Philadelphia."

"Resolution, authorising and requiring a convenient apartment in the state capitol, to be furnished in a suitable manner for an executive office."

JOSEPH HESTER.

*Harrisburg, January 23, 1821.*

Ordered, To lie on the table.

Mr. Dickerson, from the committee on claims, to whom was referred on the 13th instant, the petition of Eve Lorentz, reported a bill entitled

"An act for the relief of Eve Lorentz, the widow of an old soldier;" which was read the first time.

Mr. Leib, from the committee to whom was referred on the 22d ult. the petition of the president and directors of the Pennsylvania Academy of the Fine Arts, on leave given, reported a bill entitled

"An act to raise by way of lottery, a sum not exceeding twenty thousand dollars, to enable the president and directors of the Pennsylvania Academy of the Fine Arts, to discharge the debts to mechanics and others, incurred by the said president and directors in erecting the academy, and in purchasing the various articles necessary to their undertaking;" which was read the first time.

Mr. Cochran, from the committee to whom was referred on the 11th ult. the petition of Israel Cryder, made report, which was read as follows, to wit:

That they have had the subject under consideration, and have no doubt but a salt-work, in the situation chosen by the petitioner, would be of very essential benefit to the people of the surrounding country; and if the prospects are as flattering, as is represented in the petition, ought to draw from those who are immediately interested, such aid as would enable him to pursue his object, until he could make a full and fair experiment.

If, indeed, the finances of the state were in a situation to justify the legislature in giving relief by loans of money, to any considerable portion of the citizens who are in difficulty and distress in their money concerns, the committee would consider this a case well worthy attention; but, under all the circumstan-

ces, they cannot discover any good reason for giving it a preference to all others.

The committee therefore submit the following resolution:

**Resolved,** That the committee be discharged from the further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

On motion of Mr. Grosh and Mr. Davidson,

The reports of the several banks, read on the 8th instant, were again read, and referred to the committee on banks.

The bill, entitled

"An act to legalise the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes;" was read the third time; and

**Resolved,** That it pass.

The bill, entitled

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes;" was read the third time; and

**Resolved,** That it pass.

**Ordered,** That the clerk present said bills to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers;" was read the third time; and

On the question,

Shall this bill pass?

A motion was made by Mr. Davidson and Mr. Dickerson,

To postpone the further consideration of said question, and to commit the bill to the committee on claims, with instructions to that committee, to amend the same, by inserting the names of all applicants whose claims have been rejected at the present session, and whose claims are, in the opinion of the committee, equal to that of John Morrison.

On the question,

Will the Senate agree so to postpone and commit?



It was determined in the affirmative.

The bill from the House of Representatives, entitled

"An act vesting a title to thirty acres of land, in Upper Mahonoy township, Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill, entitled

"An act to annul the marriage contract of James Allen and Jane his wife;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence, a

"Resolution relative to the removal of obstructions in the entrance of the Erie Harbor;" which was read the first time.

The bill, entitled

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Grosh and Mr. Davidson,

To amend the same, by inserting after the word "appeal," in line forty-two, the following words, to wit:

"And each juror residing in such adjacent counties shall be allowed one dollar and fifty cents per day for viewing such premises, and one dollar and fifty cents a day for his attendance at court, together with ten cents for each mile he shall necessarily travel in going to and returning from the said court, which daily pay and mileage shall be paid to the said jurors, out of the treasury of the county in which such trial shall be had, and the same shall be reimbursed to such county by the unsuccessful party."

And the same being under consideration,

A motion was made by Mr. Hubley and Mr. Feger,

To amend the same, by striking out the words "and one dollar and fifty cents a day for his" and insert in place thereof the

words "for each day," which was not agreed to; and the said amendment then agreed to.

Whereupon,  
On motion,

Adjourned until 11 o'clock to-morrow morning.

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### WEDNESDAY, January 24, 1821.

Mr. Hubley presented a document relating to the petition presented on the 2d instant, from sundry inhabitants of West-Penn township, in Schuylkill county, relative to the place of holding their elections; and

The same was read and laid on the table.

Mr. Cochran presented seven petitions of similar tenor from sundry inhabitants of Perry county, praying for the passage of a law to authorise the holding of the courts of said county, at Millerstown, until the public buildings for said county shall be completed; and

Said petitions were read, and referred to Mr. Cochran, Mr. Alter and Mr. Markley.

Mr. Breck presented a petition from the trustees of the public school, at Germantown, praying that a sum of money may be granted by the legislature to aid said school; and

The same was read and referred to the committee on education.

Mr. Hubley presented a petition from sundry inhabitants of M'Keansburg, in the county of Schuylkill, praying that they may be authorised by law, to raise, by way of lottery, a sum of money not exceeding twelve hundred dollars, to aid them in building a church for the Calvinist and Lutheran Congregations in said town of M'Keansburg; and

Said petition was read, and referred to Mr. Hubley, Mr. Willett and Mr. Smith, with leave to report by bill or otherwise.

Mr. Grosh presented a petition from sundry inhabitants of the borough of Marietta, praying that they may be authorized to raise by way of lottery, the sum of twenty-five hundred dollars to enable them to complete a church in said borough, to be used in common by all Protestant christians; and

The same was read, and referred to the last named committee, with leave to report by bill or otherwise.

Mr. M'Meens, from the committee to whom was referred on the 15th instant, an item of unfinished business relative to Matthias Mattenly, on leave given, reported a bill entitled

"An act releasing to Elizabeth Mattenly, the right of this commonwealth to a certain escheated estate;" which was read the first time.

Mr. Cochran, from the committee to whom was referred, on the 22d instant, a petition from the Philadelphia Agricultural Society, reported a bill entitled

"A supplement to the act entitled "An act for the promotion of agriculture and domestic manufactures;" which was read the first time.

The bill from the House of Representatives, entitled

"An act vesting a title to thirty acres of land, in Upper Mahanoy township, in Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with one amendment, in which the concurrence of that House is requested.

The bill, entitled

"An act to annul the marriage contract of James Allen and Jane his wife;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives, for concurrence.

Mr. Raguet read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act to prohibit the circulation of bank notes of a less denomination than five dollars;" which was read the first time.

On motion of Mr. Smith and Mr. M'Meens,  
Ordered, That when the Senate adjourns, it will adjourn until 10 o'clock to-morrow, and that that be the standing hour of meeting on the morning of each day until otherwise ordered.

The clerk of the House of Representatives being introduced, presented for concurrence, a bill entitled

"An act to alter and amend the Fee-Bill."

He presented also, for concurrence,

"An address to the Governor, for the removal from office, of Edward Russell, a justice of the peace of Bradford county."

Said bill and address were read the first time.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill entitled

"A further supplement to the act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill;" the same having been under consideration when the Senate adjourned yesterday.

Section one recurring, and being under consideration,

A motion was made by Mr. Hubley and Mr. Feger,

To strike therefrom the following words, to wit:

"And if the president of the company incorporated by the said act, shall make oath or affirmation before any judge, justice of the peace or alderman, within this commonwealth, that he apprehends that injustice may be done by a jury, to be summoned from the county where the land lies, and file the certificates thereof in the office of the prothonotary of such county; then the said court shall issue a venire, to be directed to the sheriff of an adjacent county, not bordering on the Schuylkill river, commanding him to summon a jury of disinterested men, inhabitants of such county, to go upon the premises where the injury is alleged to be done, and ascertain and report the damages, if any, pursuant to the provisions of the said tenth and eleventh sections."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Hubley and Mr. Feger,

Further to amend said section, by striking from lines 20 and 21 the following words, to wit: "said president shall make oath or affirmation as aforesaid."

And by inserting in lieu thereof the following words, to wit:

"President of the company incorporated by the said act, shall

make oath or affirmation before any judge, justice of the peace or alderman within this commonwealth; that he apprehends that injustice may be done by a jury, to be summoned from the county where the land lies, and shall file a certificate thereof in the office of the prothonotary of such county."

On the question,

Will Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Feger and Mr. Hubley.

Further to amend said section, by inserting after the word "cases," in line forty-four, the following words, to wit:

"And the trial of such appeal shall have a precedence of all causes on the trial list, at any time called for by either party."

On the question,

Will Senate agree so to amend?

It was determined in the affirmative.

On the question,

Will the Senate agree to the first section?

The yeas and nays were required by Mr. Leib and Mr. Allshouse, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cochran, Conyngham, Davidson, Dickerson, Eyster, Feger, Grosh, Hill, Hubley,	Messrs. Hurst, Leib, M'Mullin, Piper, Power, Raguet, Sawyer, Smith, Willett, Marks, Speaker. 20
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Eichelberger,	Messrs. Markley, M'Meena, Wallace, Winter. 8.

So it was determined in the affirmative.

Section two being under consideration,

On motion,

The Senate adjourned until 10 o'clock to-morrow morning.

**THURSDAY, January 25, 1821.**

Mr. Eichelberger presented six petitions of similar tenor from sundry inhabitants of York county, praying for the repeal of the laws relative to fishing in the river Susquehanna, so far as relates to fishing on certain days therein prohibited, except Sundays; and

Said petitions were read, and referred to Mr. Grosh, Mr. Winter, Mr. Breck, Mr. Leib and Mr. Power.

Mr. Alter presented a petition and documents from Andrew Mitchell, late sheriff of Cumberland county, praying that compensation may be granted to him for bringing two prisoners from the city of Baltimore, and also for sustenance, &c. furnished by him to insolvent debtors; and

Said petition was read, and referred to Mr. Alter, Mr. Davidson and Mr. Markley.

Mr. Alter also presented a petition from sundry inhabitants of Perry county, praying that the courts of said county may be held in Millerstown, until the public buildings are erected; and

Said petition was read, and referred to the committee appointed on the same subject on the 24th instant.

Mr. Markley presented a petition from John Shartle, assignee of Ulrich Share, stating that the principal part of the property of the assignor consisted of a grist-mill and about 174 acres of land, situated partly in Lancaster and partly in Dauphin county; that there are judgments against said assignor in both counties, on which executions have been issued. The petitioner therefore prays, that a law may be passed to authorise the sale of the whole property, in one county; and

Said petition was read and referred to the committee on the judiciary system.

Mr. Grosh, from the committee to whom was referred, on the 10th instant, a petition from sundry volunteers in the borough of Marietta, on leave given, reported a bill entitled

"An act to exempt the volunteer corps of the Marietta Blues, of Lancaster county, from training on days now fixed by law and for other purposes;" which was read the first time.

Mr. Breck, from the committee to whom was referred, on the 19th ult. the petition of Thomas H. Peters, reported a bill entitled

"An act to authorise Thomas H. Peters, to erect a dam on Toby's creek, otherwise called Clarion river, and for other purposes;" which was read the first time.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill entitled

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill;" the same having been under consideration when the Senate adjourned yesterday.

Section two recurring, and being under consideration,

A motion was made by Mr. Davidson and Mr. Eichelberger,

To postpone the further consideration of said section and bill, for the present, which was agreed to.

On motion of Mr. Raguet and Mr. M'Mullin,

Ordered, That the committee of the whole be discharged from any further consideration of the bill entitled

"An act to continue in force a supplement to the act entitled "An act to establish a board of wardens for the port of Philadelphia, for the regulation of pilots and pilotages, and for other purposes therein mentioned;" and that said bill be postponed indefinitely.

On motion of Mr. Wallace and Mr. Conyngham,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act authorising the Governor to incorporate the president, managers and company of the Connemaugh bridge company;" postponed for the present on the 6th instant.

Section one recurring, and being under consideration,

A motion was made by Mr. Wallace and Mr. Conyngham,

To amend the same, by striking therefrom all that follows the enacting clause, and by inserting in lieu thereof the following words, to wit:

"That the act entitled "An act to authorise the Governor to incorporate the president, managers and company of the Connemaugh bridge company, passed the 28th day of March, 1820, be, and the same is hereby revived and continued in force; and the time for opening books for receiving subscriptions to the stock of said company, so to be incorporated by the said act, is hereby extended until the first day of December, 1821."

On the question,  
Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

The title being agreed to,  
Ordered, That said bill be prepared for a third reading.

On motion of Mr. Dickerson and Mr. Power,  
The Senate again resolved itself into a committee of the whole, Mr. Wallace in the chair, on the bill from the House of Representatives, entitled

"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve."

And after some time,  
The committee rose and reported said bill with one amendment, which was read.

On motion of Mr. Raguet and Mr. M'Meens,  
The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill, entitled

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned," passed the thirty-first of March, one thousand seven hundred and ninety-two."

And after some time,  
The committee rose and reported said bill without amendment.

The clerk of the House of Representatives being introduced, presented for concurrence, a bill entitled

"An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb;" which was read the first time.

He returned the bill entitled

"An act for the relief of Frederick Wendt, an old soldier."

And informed, that the House of Representatives have passed said bill without amendment.

He further informed, that the House of Representatives have concurred in the amendment by Senate, to the bill entitled

"An act vesting a title to thirty acres of land, in Upper Mahanoy township, Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans."



On motion of Mr. Conyngham and Mr. Willett,  
The Senate again resolved itself into a committee of the whole,  
Mr. Davidson in the chair, on the bill entitled  
"An act granting compensation to John Koons, for tracts of  
land certified to Connecticut claimants, in the seventeen town-  
ships of the county of Luzerne."

And after some time,  
The committee rose and reported said bill with amendments,  
which were read.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr.  
Hubley in the chair, on the bill entitled  
"An act to encourage the destruction of red foxes, crows  
and blackbirds, within this commonwealth."

And after some time,  
The committee rose and reported said bill with amend-  
ments, which were read.

Agreeably to order,  
The Senate again resolved itself into a committee of the whole,  
Mr. Hurst in the chair, on the bill entitled  
"An act to repeal an act entitled "An act to authorise any  
person or persons, owning lands adjoining navigable streams of  
water, declared public highways, to erect dams upon such  
streams for mills and other water-works."

And after some time,  
The committee rose, reported progress and obtained leave to  
sit again to-morrow.

Adjourned until 10 o'clock to-morrow morning.

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FRIDAY, January 26, 1821.

Mr. Markley obtained leave of absence for Mr. Barnard, for  
a few days.

Mr. Alter presented four petitions of similar tenor from sta-

dry inhabitants of Perry county, praying that the courts of said county, may be held at Millerstown, until the public buildings are completed; and

The same were read, and referred to the committee already appointed on the subject.

Mr. Raguet presented a petition from sundry inhabitants of the city of Philadelphia, praying for the repeal of the laws respecting the inspection of gun-powder; and

The same was read, and referred to Mr. Raguet, Mr. Davidson, Mr. Barnard, Mr. Cochran and Mr. Dickerson.

Mr. Hurst, from the committee to whom was referred, on the 28th December, the petition of Harvey Jones, on leave given, reported a bill entitled

"An act authorising the officers of the land office to issue a patent to Harvey Jones, of Warren county;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"An act to increase the salaries of the associate judges of the Court of Common Pleas of the city and county of Philadelphia;" which was read the first time.

The bill from the House of Representatives, entitled

"A supplement to an act entitled "An act authorising the Governor to incorporate the president, managers and company of the Connemaugh bridge company;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned, passed the thirty-first of March, one thousand seven hundred and ninety-two;" was read the second time as reported by a committee of the whole yesterday.

The section was considered and agreed to.

The preamble was disagreed to.

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"An act authorising the Auditor-General to settle and adjust the accounts of the Pennsylvania militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Hill and Mr. Smith,

To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

The bill, entitled

"An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne;" was read the second time as reported by a committee of the whole yesterday.

Section one having been considered.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Conyngham and Mr. Willett, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Breck, Cochran, Conyngham, Davidson, Feger, Hill,	Messrs. Hubley, Hurst, M'Meens, M'Mullin, Piper. Raguet. Willett, 14
NAYS.	NAYS.
Messrs. Alter, Coleman, Dickerson, Eyster, Grosh, Leib,	Messrs. Markley. Power, Smith, Wallace, Winter, Marks, speaker. 12

So it was determined in the affirmative.

The title having been agreed to,

Ordered, That said bill be transcribed for a third reading.

The bill, entitled  
"An act to encourage the destruction of red foxes, crows and blackbirds within this commonwealth;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Wallace and Mr. Conyngham,  
To postpone the further consideration of said section and bill,  
for the present, which was agreed to.

A motion was made by Mr. Conyngham and Mr. Willett, and  
read as follows, to wit:

Resolved, That the committee on the judiciary system, be instructed to enquire into the propriety of incorporating into the law for the prevention of frauds and perjuries, the provisions, or any of them, contained in the fourth and seventh sections of the English statute of frauds and perjuries.

Ordered, To lie on the table.

On motion of Mr. Coleman and Mr. Hubley,

The resolution read on the 6th instant, relative to executors and guardians giving security for the faithful performance of their trust, was read the second time, and having been modified, by striking therefrom the words "executors and" was considered and agreed to.

On motion of Mr. Breck and Mr. Power,

The Senate resumed the second reading and consideration of the bill entitled

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill;" postponed for the present yesterday.

Section two recurring, and being under consideration,

A motion was made by Mr. Hubley and Mr. Feger,

To amend said section, by striking therefrom all that follows the enacting clause, and by inserting in lieu thereof the following words, to wit:

"That so much of the act to which this is a supplement, as relates to dividends of toll and income, be, and the same is hereby repealed. And it shall be lawful for said company henceforward, after paying all repairs and other necessary expenses, to declare a dividend, not exceeding twenty-five per cent. per annum, on the capital stock of said company; and the tolls shall be so regulated, from time to time, that the dividends shall not exceed twenty-five per cent. per annum on the said capital

stock; and the said company shall so reduce their tolls that at no time hereafter shall there be demanded more than one half of the tolls which they are, by the act to which this is supplementary, authorised to demand: Provided, That nothing in this act or the act to which this is a supplement, shall be deemed to authorise the said company to purchase any lands containing coal for the purpose of entering into the coal trade, or to engage directly or indirectly, in the transportation of merchandise, lumber, coal, grain, flour or any other article; or to create any monopoly of such trade or transportation; and the second and fifteenth sections of the act to which this is a supplement, shall be construed to confine the said company within the express provisions thereof: And provided, That this act shall not take effect, until at a general or adjourned meeting of the stockholders, called for the purpose, they shall accede to all the provisions of this act; and shall cause a notice, under the corporate seal of said company, of such acceptance, to be filed in the office of the Secretary of the Commonwealth, to be obligatory upon them at all times."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Smith and Mr. Wallace,

To amend said amendment, by striking therefrom the following words, to wit:

"And the said company shall so reduce their tolls, that at no time hereafter shall there be demanded more than one half of the tolls which they are, by the act to which this is supplementary authorised to demand.

On the question,

Will the Senate agree so to amend said amendment?

It was determined in the negative; and

The question recurring,

Will the Senate agree so to amend said section?

It was determined in the affirmative; and

On the question,

Will the Senate agree to said section as amended?

It was determined in the affirmative.

Section three was considered and disagreed to.

The title having been agreed to;

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leib in the chair, on the bill entitled

**"An act concerning Bills of Exchange."**

And after some time,

The committee rose and reported said bill with amendments, which were read.

Agreeably to order,

The resolution from the House of Representatives, relative to the removal of obstructions from the entrance of the harbor of Erie, read on the 23d instant, was again read, considered and adopted, with the exception of the preamble, which was disagreed to.

Ordered, That the clerk return said resolution to the House of Representatives, with information that the Senate have adopted the same with amendments, in which the concurrence of that House is requested.

Adjourned until 10 o'clock to-morrow morning.

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**SATURDAY, January 27, 1821.**

Mr. Cochran obtained leave of absence for one week from this day.

Mr. Raguet, from the committee to whom was referred on the 9th of December last, so much of the Governor's Message as relates to the penitentiary system, and to the Philadelphia and Pittsburg prisons, made report, which was read as follows, to wit:

THE committee to whom was referred, on the 9th of December, so much of the message of the late Governor as relates to the penitentiary system, the Philadelphia and Pittsburg prisons, report as follows:—

In the investigation of the matters referred to your committee, it appeared to them advisable to co-operate with the committee appointed upon the same subjects, by the House of Representatives, in order that access might be had by both to a greater mass of information, and that by a mutual attention to each oth-

er's views, such measures might be suggested as would be likely to meet with the support of all. The result of these consultations has been a determination to recommend to the legislature, an alteration in the present mode of punishing convicts, and appropriations adequate to the construction of a new state prison within the city or county of Philadelphia, and to the completion of that which has already been partially finished at Pittsburg.

The reasons which have led your committee to believe that all these measures are absolutely necessary, to be adopted, *during the present session of the legislature*, will be found in the following brief history of the penitentiary system in our state, with which it is necessary to be acquainted, in order to form a correct opinion as to their expediency.

The penitentiary in Philadelphia, situate at the corner of Walnut and Sixth streets, was built nearly fifty years ago, at a time when convicts were punished, by employment in the public streets of the city as scavengers, by whipping at the post, and by exposure in the pillory and stocks. On the 5th of April, 1790, a law was passed entitled "*An act to reform the penal laws of this state*," the preamble to which recited, that the laws enacted for the punishment of criminals "have in some degree failed of success, from the exposure of offenders employed at hard labor to public view, and from the communication with each other not being sufficiently restrained within the places of confinement; and it is hoped that the addition of *unremitted solitude* to laborious employment, as far as it can be effected, will contribute as much to reform as deter." By this act, the public exposure of the convicts was abolished, and a suitable number of cells was directed to be constructed in the yard of the penitentiary, each whereof to be *six feet* in width, *eight feet* in length, and *nine feet* in height, and to be appropriated to the solitary confinement of the more hardened and atrocious offenders."—Towards the construction of these cells, the sum of five hundred pounds was appropriated by the same act, and adequate powers were given to the inspectors of the prison, to manage its concerns, and to provide the means necessary for keeping the convicts employed at hard labor.

During the infancy of this institution it appears to have answered the object intended; but the number of convicts, in the course of ten or twelve years becoming too great for the means of accommodation, application was made to the legislature for relief. On the 2d of April, 1803, an act was passed, entitled "*An act to direct the sale of certain unimproved city lots, the property of this commonwealth, in the city of Philadelphia, and*

*to appropriate the proceeds thereof towards the erection of a building for the purpose of more completely carrying into effect the penal laws of this state."* In the preamble to this act it is stated, that "the public prison of Philadelphia is found to be too small for accommodating the convicts which are sent to that place from different parts of the state, and the persons whom it may be necessary to imprison for offences committed in the city and county of Philadelphia." By this act, all the right, title, claim and interest of the commonwealth, in the vacant lots, the property of this commonwealth, in the city of Philadelphia, and unimproved by the state, "were to be transferred to the inspectors of the prison, to be by them sold or otherwise appropriated, and at such times, as to them might appear most eligible, the proceeds whereof to be applied to the building of a new prison, *for the use of the city and county of Philadelphia.*" The act further provides, "that in consideration of the said lots being granted for the purposes aforesaid, the commonwealth reserves the right to the several counties within the same, to send their convicts to the present prison of the city and county of Philadelphia, agreeably to the provisions set forth in the penal laws of this commonwealth."

In pursuance of the provisions of this act, the inspectors of the prison made sale of city lots to an amount which, with some subsequent appropriations in money made by the state, equalled about \$105,000, and proceeded to the building of a new prison situate on Arch street at the corner of Broad street. The funds not proving adequate to the completion of the same, it has remained to this day in an unfinished state, and has never been occupied in any other way, than as a debtor's apartment. The plan upon which it is constructed renders it wholly unfit for a state prison, and even were it entirely finished, it never could be occupied but as a common county gaol, for the confinement of untried prisoners, vagrants and offenders convicted of petty offences.

The importance and necessity of having one or more prisons constructed upon the plan of *solitary confinement*, becoming every year more evident to the legislature, an act was passed on the 3d day of March, 1818, authorising the inspectors of the prison, with the consent of a majority of the county commissioners, and the constituted authorities of the city of Philadelphia, of the Northern Liberties and Southwark, or any two of the said corporations, the city councils being one, to make sale of the Walnut street prison and the lot upon which it is erected, and to apply the proceeds thereof to the erection of a new prison for the use of the city and county of Philadelphia, to be constructed on the plan of solitary confinement. By the same



act, the inspectors were directed, as soon as a sale of the prison should be effected, to remove the prisoners confined therein to the Arch street prison, to be there confined until duly discharged, or removed to such other penitentiary or prison, as should be erected for their reception and safe keeping. The provisions of this act were never carried into effect. The situation of the Arch street prison was never such as to have afforded secure accommodations for so many convicts as were in the Walnut street prison, and no advantageous sale of the latter could be effected without delivering immediate possession.

It appears from the foregoing statement, that the course which has been pursued for many years, by the legislature, has been one of temporary expedients, which has resulted in the complete subversion of the penitentiary system, and the sinking of a very considerable capital in useless buildings. It is hoped that the impolicy of a longer adherence to partial alleviations, will be manifest, and that the enlightened course of policy commenced by the legislature of 1817-18, will be persevered in. By the act last quoted, an appropriation of \$60,000, payable in four equal annual instalments, was made by that body, towards the construction of a *state prison* in the vicinity of Pittsburg, upon the plan of solitary confinement, to contain 200 cells.—Commissioners to carry this object into effect have been appointed, and the work has now been for some time in progress.—During the present session of the legislature, an application has been made for an additional appropriation of a like sum, in order to add a second story to the building, and thereby to double the number of the cells. The importance of this building, renders its *early completion*, upon an extended scale, exceedingly desirable, and your committee recommend to the legislature, to grant the appropriation, payable in such instalments as will enable the commissioners to complete the work *without delay*.—That economy must always be misjudged, which for the sake of avoiding an immediate advance of money, subjects the community to evils, an hundred fold greater than the benefits to be derived from procrastination.

The state prison at Pittsburg, when completed, will afford ample accommodations for those convicts who shall be sentenced to the punishment of solitary confinement for one year and upwards, in the western counties, but will be of no avail to the eastern counties, in which most of the convictions take place. The expenses of transporting a prisoner to the penitentiary, from a distant county, as appears by the late report of the Auditor-General, the amount of which is drawn from the state treasury, are in some cases *two or three hundred dollars*, which is equal to

the whole expense of supporting a convict for two or three years. Such a charge would be an improper burthen upon the state and a positive loss to the public; and when it is recollected that the encrease of crime will, in all probability, attend an encrease of population, the necessity of an additional state prison in the city of Philadelphia or its vicinity, will be strikingly manifest. This object, so desirable and important, in the opinion of your committee, can be accomplished without any immediate and probably without any ultimate grant of money, if the plan, suggested by the inspectors, and which will be found in the annexed communication made by their president, be adopted.

The actual condition of the penitentiary at Philadelphia, is of such a nature, as to demand the immediate attention of the legislature, and to excite the regret of all who are actuated by a regard for the temporal as well as eternal welfare of those who are immured within its walls. In the course of the last winter or spring, an insurrection broke out amongst the convicts, which threatened the destruction of the lives of the jailors and the escape of all who were confined, and was only quelled by the efforts of a large body of armed citizens, who assembled at the ringing of the alarm bell, after the discharge of a number of muskets, by which one man was killed, and several were wounded. Since that period a scene of discontent has constantly been exhibited, and a second revolt has been perpetually apprehended. The following well drawn, but distressing portrait of the once celebrated penitentiary of Pennsylvania, has been furnished by order of the Board of Inspectors, in answer to a letter addressed to them by the committee of the House of Representatives, and as it expresses in detail the awful situation of that institution, in language more impressive than your committee could present, it has been deemed expedient to give it entire.

*Philadelphia, January 8th, 1821.*

GENTLEMEN,

The board of inspectors of the prison of the city and county of Philadelphia, respectfully submit the following remarks, in reply to the letter addressed by your late chairman, William Wilkins, Esq. to this board, on the penitentiary system.

It seems to be generally admitted, that the mode at present in use in the penitentiary does not reform the prisoner. It was intended to be a school of reformation, but it is now a school of vice. It cannot be otherwise where so many depraved beings are crowded together, without the means of classification or of adequate employment. There were in confinement, on the first instant, four hundred and twenty-four men and forty women,

convicts. For want of room to separate them, the young associate with the old offenders, the petty thief becomes the pupil of the highway robber; the beardless boy listens with delight to the well-told tale of daring exploits and hair-breadth escapes of hoary headed villainy, and from the experience of age derives instruction which fits him to be a pest and terror to society. A community of interest and design is excited among them, and instead of reformation, ruin is the general result.

This is a short but melancholy picture; it is but faintly drawn, but it is sufficiently strong to excite attention in every benevolent mind. The grand juries of our district have, for years past, presented to the public a similar portrait of our once boasted penitentiary, and the late executive has very judiciously directed the attention of the legislature of the state to the subject.

With due respect for his opinion, the undersigned respectfully say, that the remedy proposed by him is not adequate or efficient.

The new prison on Arch street was not built for a convict apartment, nor so designed originally by the law authorising its erection:—it is not calculated for solitary confinement, and to attempt to engraft such a system upon this building would be expensive, and in the end prove abortive.

The design of the penal code of Pennsylvania was the reformation of the criminal. Solitary confinement, as far as practicable, and hard labor, were intended, and would no doubt have produced salutary effects, if the system had been rigidly enforced. But this system was never carried into complete effect. The prison-house in this city, in which this humane effort was first put into operation, was not properly constructed for such a system. It is a common well-built county prison, but never designed or adapted for solitary confinement. It is nearly fifty years since its corner stone was laid, long before the genius of humanity had erased from our statute books those sanguinary edicts which had for so many years stained their pages. Still, however, very many beneficial results flowed from the system in the first few years succeeding its adoption.

The prison was well managed. Industry was encouraged among the prisoners. Employment was abundant, and in consequence of the number of criminals being small, classification to a certain degree was observed. The consequence was that the internal part of the building appeared to a visiter rather like a well regulated manufactory than a prison. Instances of reformation in the early period of this system occurred—and among all the prisoners, order and good discipline were maintained.

Hence Pennsylvania obtained a name among her sister states as well as in Europe for her mild penal code and her well regulated Penitentiary.

But this fame was short lived. The state has not kept pace with the increase of her population and its consequent increased depravity: she has continued for thirty years past to send hundreds to a prison, which at the first, as it respects that part of it appropriated to convicts was not fitted for the solitary confinement of fifty. With the rapid increase of prisoners there has within a few years past, owing to the effects of the late war and the difficulties of the times been a considerable increase in the depravity and high daring of the character of our prisoners, to all which may be added the want of sufficient employment.

The use, in modern times, of machinery, has deprived us of some branches of employment once very profitable, particularly making of cut nails. The stagnation of business particularly in building has been seriously felt by our institution in the business of marble sawing; hence a great proportion of our convicts are idle, thereby becoming every year more expensive to the counties, and more difficult to manage and subdue.

There is now, therefore, no solitary confinement in force except for a few hardened offenders who have violated the rules of the prison, or have been sentenced by law to the cells for a portion of their time. The great Penitentiary system of Pennsylvania is not now in operation and cannot be without the erection of a new prison in this part of the state, on the same principle as that constructed at Pittsburg, viz. Solitary confinement. This system appears to be the grand efficient remedy for the evils under which we labour. To resort to capital punishment appears to us would be unwise, and highly injurious to the morals and security of society—Because experience has proved that capital punishments do not deter from the commission of, or lessen the number of crimes. Because, where they do exist, it is difficult to convict offenders and many escape altogether, and therefore in England, at this day, forgeries abound, because few convictions take place. Even in Pennsylvania, the cases are numerous of conviction for murder of *second* degree, which every legal mind would decide should have been for murder of the *first*. Jurors are in general opposed to the shedding of blood, and will not, if they can avoid it, find a man guilty of an offence where the penalty is death. Added to all this, if capital punishments are resorted to, we shall again see exhibited, though in a more awful degree, murder and robbery, and murder and burglary conjoined, because as death is but the penalty for both, it will be to the interest of the burglar or robber to destroy the witnesses and accusers.

The effects of a pure solitary system have never yet been exhibited in Pennsylvania. Enough has been seen, however, to justify the belief that its effects will be to reform entirely or to deter from the commission of a second offence within the jurisdiction of that state where such a system exists. As man is a social being, whose rights and comforts are protected and cherished by the laws of society, it would seem but reasonable when he violates those laws that he should suffer in that point in which he will feel the most keenly, the loss of social enjoyment. To be shut up in a cell for days, weeks, months and years, alone, to be deprived of converse with a fellow being, to have no friendly voice to minister consolation, no friendly bosom on which to lean or into which to pour our sorrows and complaints, but on the contrary, to count the tedious hours as they pass, a prey to the corrodings of conscience and the pangs of guilt, is almost to become the victim of despair. To a guilty mind, reflection and self examination are painful, but frequently prove salutary. The young offender cannot become more expert in crime while shut up in his cell, because he will want an instructor, and if he is not reformed, he will not be worse than when he entered. The old offender will be out of his element, so unable to plot escapes or future mischief, that he will gladly fly from a region where conviction produces so much misery.

Besides, on the principle of economy, this system recommends itself to your attention. Three years is now the usual sentence for grand larceny. Under the solitary system one year will produce more and better effects. It costs ninety dollars per annum, for the support of a prisoner, without work, on the lowest calculation.

Three years, at 90 dollars a year, is	\$270 00
One year at 90 dollars	90 00
	<hr/>
Gain on each prisoner,	180 00

For higher offences, it is believed, the gain will be greater.

As it is our duty when we complain of an evil, and ask for a certain remedy, to suggest a mode of carrying this remedy into effect, we respectfully suggest the following plan:

The state to build a penitentiary in the city or county of Philadelphia, capable of holding two hundred and fifty prisoners on the principle of solitary confinement, forthwith, by commissioners to be appointed in such manner as the legislature may direct. The state will then have two penitentiaries, one in the western and the other in the eastern extremity of the state,

which should be regulated and governed under the supervision of the state, and in which prisoners convicted of grand larceny, and all offences above this should be confined, and none others. Let all others be confined in the county jails, in solitary confinement, as far as practicable. To provide funds for this work, we suggest that the county of Philadelphia should repay to the state, the money furnished by the state from the sale of city lots, and from the public treasury, towards building the new prison in Arch street—and the state release all claim thereto, to the county of Philadelphia, the same to be used hereafter as a county prison. As this money cannot be obtained by the county of Philadelphia until the sale of the prison in Walnut street is effected, which cannot take place until the penitentiary is finished—it is submitted, that the state borrow the money as wanted, to be paid out of the fund above mentioned. It is believed, that there are many valuable city lots, yet the property of the state, remaining unsold.—These might be hunted up by the surveyor-general, and sold by order of the state, and applied to this object; the balance, if any, to be paid out of the state treasury. If necessary, the state might charge the interest of the money to be borrowed, on the several counties, in proportion to their population, or the number of prisoners they may have in the penitentiary.

Any further information which the committee may deem desirable, will be cheerfully given by the board, on application.

By order of the board of inspectors of the prison of the city and county of Philadelphia.

PETER MIERCKEN, *President.*

ATTEST.

THOMAS BRADFORD, JR. *Secretary.*

In addition to the information contained in the foregoing statement, the committee of each house has been furnished, by Dr. James Mease of Philadelphia, with a series of excellent essays, written and published by him, upon the penitentiary system. The zeal of that gentleman in the cause of humanity, and the industry and ability displayed by him in collecting and arranging a mass of interesting and useful facts, connected with this subject, with no other view than to point out the necessity of a reform in a system, now fully proved to be inadequate to the end proposed, merit the thanks of the legislature, and your committee recommend the perusal of his treatise to all who are desirous of being informed upon this matter.



The alteration in the mode of punishing convicts, alluded to by your committee, is to direct that all crimes, now by law punishable by imprisonment at *hard labour*, shall hereafter be punishable by *solitary confinement*, by which is to be understood such an entire seclusion of convicts from society and from one another, as that during the period of their confinement, no one shall see or hear, or be seen or heard by any human being, except the jailor, the inspectors, or such other persons, as for highly urgent reasons may be permitted to enter the walls of the prison. In addition to the advantages to result from this system, which are so well depicted in the letter of the inspectors, above adduced, another may be mentioned which will be attended with the most beneficial effects. It is, that convicts from not having seen or known one another in prison, will never be able after their discharge to recognize each other, and those who are inclined to pursue a course of reformation, will not be liable to be exposed and branded with infamy, as they now are, by those who have witnessed their degradation.

That this mode of punishment may be resorted to *at once*, it will be expedient that in each county jail in the state, apartments or cells should be immediately fitted up or constructed, sufficient to accommodate, upon the principle of solitary confinement, as many criminals as are likely to be confined during the period which must elapse before the completion of the state prisons. This number need not be very great, for supposing the position as above advanced by the inspectors to be correct, as your committee believe it to be, that *one* year of solitary confinement will be more efficacious than *three* years at labor in the society of others, the judges of the courts, by diminishing the period of confinement in that proportion, would eventually reduce the number of prisoners at any time confined, to *one-third* of their present number. The legislature, indeed, if it thought it advisable, might establish those propositions, but if that were done, it would also be expedient to declare, that for all second offences the punishment should be doubled, or else the duration of the confinement for petty crimes might be too short to render it efficacious. A board of three inspectors to serve without any compensation, as those of Philadelphia do, might be annually appointed by the judges of the court of quarter sessions in each county, to superintend the concerns of the prison, to see that the convicts are punished agreeably to the spirit of the law, and that they are not subjected to improper impositions. With regard to the *economy* of this measure, there can be no diversity of opinion. The revenue derived from the labor of convicts has never, even during the most prosperous times, been adequate to their support; and when it is recollected that employment diminishes

M'Meens in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of the heirs of James Moore, deceased, and for other purposes."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Tuesday next.

The clerk of the House of Representatives being introduced, presented for concurrence, two bills entitled as follow, viz:

"An act to incorporate the Widows' Society of Bethlehem."

"An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased."

He returned the "Resolution relative to inspectors of beef, pork, &c. in the city and county of Philadelphia."

And informed, that the House of Representatives have passed the same without amendment.

He further informed, that the House of Representatives have concurred in the amendment by Senate, to the bill entitled

"A supplement to an act entitled "An act authorising the Governor to incorporate the president, managers and company of the Connemaugh bridge company."

The bills presented for concurrence, were read the first time.

On motion,

The Senate resumed the second reading and consideration of the bill, from the House of Representatives, entitled

"An act authorising the secretary of the commonwealth to purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania;" postponed for the present, on the 12th instant.

The amendment then under consideration, recurring, Was considered and disagreed to.

A motion was then made by Mr. Davidson and Mr. Allshouse, To amend said section one, by striking from line five the words "one hundred," and inserting in lieu thereof the word "fifty," which was agreed to.

A motion was then made by Mr. Coleman and Mr. Hubley, Further to amend said section, by inserting after the word "Pennsylvania," in line six, the following words, to wit:

"Twelve copies thereof to be deposited in the chamber of the Senate, and thirty-eight copies in the chamber of the House of Representatives;" which was agreed to, and the section as amended was then agreed to.



The second section was considered and disagreed to.

The title was agreed to, after being amended, by striking out the words "one hundred," and inserting in lieu thereof the word "fifty."

Ordered, That said bill be prepared for a third reading.

Adjourned until 10 o'clock on Monday morning.

MONDAY, January 29, 1821.

Mr. Hill presented a petition from sundry inhabitants of Greene county, praying that a law may be passed to give to grand and petit juries, the power, in all criminal cases, of deciding who shall pay the costs; and

The same was read, and referred to the committee on the judiciary system.

Mr. Leib presented a petition from the board of health of the city and county of Philadelphia, stating certain inconveniences which have arisen under, and certain defects which exist in the present health laws; and praying that a supplement may be passed to remedy the same; and

Said petition was read, and referred to the members from the city and county of Philadelphia.

Mr. Raguet presented a petition from the Philadelphia Chamber of Commerce, praying for an act of incorporation; and

The same was read, and referred to the last named committee.

Mr. Hubley presented a petition from the president, managers and company of the Centre turnpike road, leading from Reading to Sunbury; praying that pecuniary aid may be granted to said company, by the legislature; and

The same was read, and referred to the committee on roads, bridges and inland navigation.

Mr. Alter, from the committee to whom was referred, on the

23th instant, the petition of Andrew Mitchell, on leave given, reported a bill entitled

"An act to settle and adjust the accounts of Andrew Mitchell, late sheriff of Cumberland county;" which was read the first time.

Mr. Markley, from the joint committee appointed by both branches of the legislature, for the purpose of investigating the situation of the affairs of the company for erecting a bridge over the Susquehanna river, at or near the town of Columbia, made report as follows, viz:

That the committee proceeded to Columbia, and inspected the books and examined such witnesses as they considered essential, in order to obtain the necessary information relative to the condition of that institution. The committee were aware that a minute and detailed examination into every particular transaction of the company, would be entirely impracticable, from the great length of time it would occupy, without any possible benefit resulting therefrom, they therefore confined themselves to those objects of inquiry which they deemed necessary, to ascertain the situation of the interest of the state, in order that the same might be protected by legislative interposition, which appears highly expedient, from the peculiar course of policy and conduct pursued by the company from almost the very commencement of their act of incorporation. It is not the desire of the committee to animadvert on the conduct of the managers, or any of the stockholders in the narration of the facts connected with the general management of the institution, if the same can be possibly avoided, but confine themselves solely to exhibiting a statement of its concerns, corresponding with its actual condition, derived from the investigation of the committee.

The company for erecting a bridge over the Susquehanna river, at or near the town of Columbia, was incorporated in conformity to an act of the legislature, passed the 28th day of March A. D. 1809, which authorises the subscription of stock to the amount of four thousand shares, at one hundred dollars per share, with a provision that when twelve hundred shares were subscribed, they were entitled to become incorporated, and under the sanction of those provisions they made application to the governor when they obtained subscriptions to the amount of \$123,000 and obtained their charter of incorporation in the year 1811. On the second day of April A. D. 1811, a law was passed by the legislature, authorising the governor to subscribe a sum not exceeding ninety thousand dollars, to the stock of the company, when they became incorporated, for the purpose of building a bridge over the Susquehanna river, at or near the town of Co-

lumbia, one half of which to be paid when the piers and abutments shall have been constructed, and the other half when the superstructure shall have been raised, and in obedience to the aforesaid act, the governor did subscribe ninety thousand dollars on behalf of the state, to the stock of said company. In 1812, the president and managers of the company entered into a contract for building the bridge for the sum of one hundred and fifty thousand dollars, and stipulated with the contractors to pay them in proportion as the work progressed. The contract for the building of the bridge was, that the piers and superstructure should progress together, instead of having the piers and abutments first completed, and the superstructure subsequently. In consequence of this contract, which was deemed the most advantageous, varying from the original instructions of the company, they were deprived from receiving the benefit of the state subscription of stock, which was to be paid, one half when the piers and abutments were constructed, and the other half when the bridge was completed. This being the peculiar situation of the company, they were rendered unable to perform their engagements with the contractors, without the assistance of the state, which from the nature of the contract entered into for the erection of the bridge, it was out of their power to obtain, without an alteration of the law in relation to the terms upon which the state subscribed for the stock. In the year 1813, the legislature were apprised of the situation of the company, and the alteration of the manner in which the bridge was to be constructed, and were solicited for a modification of the terms upon which the state originally subscribed to the stock, in order to remove the embarrassments of the company, so as to enable them to meet their engagements. The legislature, however, did not recede from the original terms and the amount of the subscription of the state was not paid until after the completion of the bridge. In consequence of the legislature not granting the alteration solicited by the company, the committee were informed they were not successful in collecting the individual subscriptions of stock, and failed in securing or receiving more than \$78,000 out of the \$123,000 which was subscribed on their obtaining their charter. This, it is stated to the committee (which appears highly probable) created considerable despondency in the company, in ever being able to complete a great and valuable improvement, which they had already entered into a contract to build. And to obtain additional subscription of stock it has been represented to the committee was utterly impracticable, on account of public confidence being in a great degree impaired in the undertaking, under an impression that it would not be productive stock; under these difficulties it is stated the company considered themselves compelled, by a

sense of duty to devise some plan, or alternative to extricate themselves from the unfortunate situation in which they were involved, and from the prevailing spirit for banking which at that time predominated in the public mind, some allurements could be held forth to revive confidence in the undertaking, and attain the whole amount of subscription of stock authorised by law on conditional terms; that is, that after defraying the whole expense incident to the erection of the bridge, that the surplus capital should be appropriated for banking purposes. In order to effect this, a meeting of the stockholders was called, and on the 17th June, 1813, the board of managers adopted the following resolution. "Resolved, that the conditions on which the following subscriptions are to be taken, are, that if the president and managers are authorised by the stockholders legally to loan their surplus funds, one thousand shares being subscribed—the subscribers shall then be considered and held as stockholders, but if there be not one thousand shares subscribed within six months after the passing of such bye-law of the stockholders, or if such bye-law shall be proven to be illegal, then the following subscribers shall be at liberty to give up their shares, and all monies paid thereon shall be refunded by the treasurer on demand." In conformity to the foregoing resolution, the company proceeded to obtain subscriptions of stock under the conditions that the surplus should constitute a fund for the express purpose of banking. Under this impression from the flattering terms held forth, the public cupidity for gain and speculation at this peculiar crisis attracted attention, and the stock was rapidly subscribed for to the whole amount authorised by law, and their banking operations commenced on the 3d of February, 1814, in violation of their act of incorporation, and in opposition to any express or implied legislative authority or law; but on the contrary, in direct hostility to an existing law. It is proper for the committee here to remark, that the state, although interested in the stock of the company to a very considerable amount, had no participation in countenancing by any act the sanction of this illegal proceeding, and the only justification the company had in resorting to this measure, appears to have been founded on the erroneous opinion of a legal character, under the authority of whose opinion the company continued to discount until the 17th of February, 1820, and declared dividends on their banking capital until the 1st of August, 1818, which was the last dividend declared. A considerable time previous to the 1st of August, 1818, the notes of the institution diminished in value, and became less negotiable, which necessarily compelled the company, in order to retrieve the value of their notes in circulation, and with a view of restoring public confidence, to call upon their debtors

for prompt and speedy payments of the money loaned. In doing this, they soon experienced the folly of their experimental project of banking. Property, which before that time, from the facility with which money could be commanded, through the medium which the mania of the banking system afforded, had raised to a speculative value began to depreciate, from the want of the facility of bank accommodations, and the revolution which had transpired in the commercial world. The debtor being unable to provide the means of payment, from necessity was driven to devise plans for his individual security, and sought shelter from the demands of the company under the illegal basis on which their right to banking was founded. The company finding insuperable difficulties to contend against, arising from the want of a remedy to compel the payment of their debts, which was taken advantage of by a great portion of their debtors; from necessity, the company were obliged, in order to preserve as far as practicable, the funds of the institution, and promote the interest of the stockholders, to adopt conciliatory measures for the collection of the debts, so as to render them able to wind up and liquidate the concerns of the institution, on the most beneficial terms. The board of managers, with a view of facilitating the collection of their debts, especially to those who were honestly inclined to pay, passed a resolution on the 16th of September, 1819, the purport of which resolution was, an agreement to take new stock at par in payment of debts, and to allow interest thereon from the first of August 1818, which was the time the last dividend was declared, and in case the new stock was not adequate to discharge the full amount of the debts due from individuals making such transfer, to take bonds agreeably to a resolution adopted by the board on the 26th of August, 1819, when it was concluded and agreed, for the better security of debts owing to the institution, where there existed an inability for the want of funds to pay, to take judgment bonds or plain bonds, with security, whenever required.

The committee perfectly coincide with the correctness of the policy pursued by the company in the adoption of the two last mentioned resolutions, as the most advisable under the peculiar difficulties the company labored in relation to their banking operations, but they cannot refrain from expressing their most decided disapprobation of the conduct of the board, in not giving immediate publicity to the resolution passed the 16th of September, 1819, allowing debtors to transfer new stock in payment of their debts without limitation and restriction, which was the cause of excluding many from the favorable terms embraced in the resolution, in consequence of not affording them a knowledge of the opportunity to pay their debts in the manner contemplat-

ed by the resolution. And it does not appear from the evidence furnished to the committee, that the resolution was published until the 12th of November, 1819, and on the 4th of November previous, the board restricted, in some measure, under certain limitations, the terms of the resolution passed the 16th of September, 1819, by adopting the following: "Resolved, that the treasurer is requested not to suffer any person or persons, stockholders in this institution that are in any way indebted to this office, to transfer their stock without first being approved by the board." Which resolution, together with the resolution of the 16th of September, 1819, was published in one or two public newspapers about the 12th of November, 1819. During the intermediate time between the 16th of September, 1819, to the 12th of November ensuing, the major part of the board of managers, and their immediate friends, who were indebted to the institution, availed themselves of the benefits embraced in the resolution of the 16th of Sept. 1819, allowing the transfer of new stock at par, and with interest thereon from the 1st of August, 1818, which was in fact 40 or 50 per cent. below par in payment of their debts, and by that means exclusively enabled them to liquidate and satisfy the demands of the company against them, to the prejudice of those who were interested in the stock of the company, as well as to those who were entitled to similar benefits in the payment of their debts, by being kept in ignorance of the general terms of the resolutions on account of there being no publication of the same until the 12th of November, 1819. The amount of stock, from the information collected by the committee by a reference to the books of the transactions of the company, that was transferred for the payment of debts from the adoption of the resolution on the 16th of September, 1819, until the publication thereof, was \$18,900, and the interest thereon from the 1st of August 1818, until the time of making the transfers, from a calculation made by the committee, amounts to the sum of \$960, and after the publication of the resolution, there was transferred stock in payment of debts, up to the 10th of April, 1820, when the last transfer appears to have been made, to the amount of \$37,900, the interest on which was \$3,011.—Part of these last transfers were made, predicated on the sanction of the board of managers, and obtained previous to the publication of the resolution, as very few transfers were admitted after the 12th of November. It is proper here to state, in order to show the whole amount of stock that has been transferred on the books of the company, in payment of debts, since it originally commenced banking—that there was transferred for the payment of debts, five shares of stock to the amount of \$500, on the 20th of March, 1816; and 21 shares, amounting to \$2,100 on the 22d of October,

1817. From this statement it appears that the amount of stock of the institution taken in payment of debts in conformity to the resolution of the 16th of September, 1819, amounts to \$56,800, calculating the stock at par value, and that the interest allowed on the stock, according to the terms stipulated as contained in the resolution, amounts to \$3,973. The greater portion of the debts which the transfer of the stock was appropriated to discharge, were chiefly notes originally given in payment of stock. The situation of the institution, in regard to their banking capital, when the resolution of the 16th September, 1819, passed, was as follows:

*Columbia, Sept. 15, 1819.*

Capital stock,	-	-	-	-	\$400,000	00
Notes issued,	-	-	-	-	114,442	20
Contingent fund,	-	-	-	-	22,313	18
Bridge tolls received,	-	-	-	-	12,664	67
Discounts received,	-	-	-	-	8,914	11
Dividends unpaid,	-	-	-	-	4,812	00
Bills payable Bank of the United States,	-	-	-	-	10,000	00
Balance due depositors,	-	-	-	-	7,260	33

**Dr.**

Bills discounted and receivable,	-	-	-	-	\$181,275	36
Cash on hand, including bridge notes,	-	-	-	-	110,825	04
Bridge, real and bank stock,	-	-	-	-	248,411	49
Repairs of bridge,	-	-	-	-	3,246	70
Expenses,	-	-	-	-	2,056	90
Profit and loss,	-	-	-	-	769	68
Bridge stock on hand,	-	-	-	-	27,800	00
Ditto unsettled,	-	-	-	-	4,684	00
Balance due banks,	-	-	-	-	1,337	32

The company finding it utterly impossible, from the illegality of their banking system, to collect their debts, made application to the legislature, in December 1819, for the passage of a law to authorise the company to collect their debts, and obtained a law for that purpose on the 24th of February 1820, after which time the company ceased to take any new stock in payment of debts, unless such as they previously had agreed to take. At the time the company ceased to discount, which was on the 17th of February 1820, from the inspection afforded by their books, the following is a statement of the situation of the company.

Bills discounted,	-	-	-	-	\$70,799	87
Ditto receivable,	-	-	-	-	60,912	85

\$131,712 72

The amount bridge notes in circulation at the time, 6,156 55



The following exhibits an account of profits arising from the tolls of the bridge, from the 5th of December, 1814, up to the 25th of December, 1820, specifying particularly the annual amount of the tolls up to that time.

From the 5th of Dec. 1814, to the 5th Dec. 1815,	\$15,507 56
5th Dec. 1815, to 5th Dec. 1816,	12,133 78
5th Dec. 1816, to 5th Dec. 1817,	10,495 98
5th Dec. 1817, to 5th Dec. 1818,	11,829 17
5th Dec. 1818, to 5th Dec. 1819,	10,546 01
5th Dec. 1819, to 5th Dec. 1820,	7,835 65
5th Dec. 1820, to 25th Dec. 1820,	363 77
	<hr/>
	\$68,710 92

The estimate of the expenses attending the erection and final completion of the bridge, the committee have ascertained to be \$231,771 49. The amount of interest received by the state, out of the proceeds of the stock of the company, since they first commenced taking toll, is \$11,700, which appears to have been paid into the state treasury.—The sum of \$6,750, it is stated, were for discounts arising from the surplus funds appropriated to banking.—Here it is proper to observe, that although the state were benefitted, and actually received an acquisition of interest on their stock, it is not to be inferred, in the opinion of the committee, that by receiving the interest, part of which grew out of the bank capital, that they acceded to the principle of their banking system. It is true, that the state asked an indulgence, or rather the executive of the state, for the payment of \$45,000, for one year, of the stock subscribed on account of the state, under an express provision, if the indulgence was granted, that interest should be paid on that amount. The executive was remarkably guarded in making this application, so that it should be perfectly understood by the company, that it was the desire of the executive that the institution should not be subjected to any inconvenience in extending this indulgence, as the money, if required, could be paid; so that in no relation can the terms of this proposal from the executive be so construed, in requesting this indulgence from the institution, as having reference in effecting a loan from the company in their banking capacity.

The following is a statement of the affairs of the company on the 28th December, 1820.

Columbia Bridge,	Dr.
New stock,	\$143,200 00
Notes in circulation,	4,506 38



Deposits,	187 87
Dividends unpaid,	3,225 00
Old stock,	173,400 00

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\$324,519 25  
48,971 83

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\$373,491 08

Contra,	Cr.
Bills, bonds, &c.	\$112,189 65
Foreign notes and specie,	5,932 88
Real estate,	14,840 00
Stock unsettled,	4,684 00
York bank,	1,689 10
Due from sundry persons,	2,383 96
Cost of bridge,	231,771 49
	<hr/>
	\$373 491 08

From this statement it is manifestly apparent in the judgment of the committee, that if the new stockholders are to receive a preference over the old stockholders in being paid according to the terms of the conditions under which they subscribed—that is, that the new stock should be estimated at par and interest allowed thereon; it will give that description of stockholders a decided advantage over the old stockholders, in diminishing their stock in such a degree as not to be worth more than 30 per cent. The amount of debts owing to the institution, as exhibited in the last mentioned statement from the information received by the committee, it is extremely uncertain whether the same can all be collected, owing to the failure of the individuals indebted; and the general depreciation of real estate, on which some of the debts are a lien, and also the depreciation of real estate which the company holds. The result would be, if the new stockholders are paid in full, the bridge will have to be sold in order to make up the deficiency to the new stockholders, a course of proceeding inconsistent with the principles of justice or equity, and it must be admitted as incontrovertible, that the resolution under which the new stock was subscribed, was for the promotion of an illegal object, and that all acts originating under the sanction of the resolution, are illegal within themselves; and that on a non-compliance with any of the stipulations under which the new stock was subscribed, the injured party is destitute of a legal remedy to enforce a compliance.

It therefore cannot be deemed just, under any consideration, that the new stockholders should stand upon a superior footing to those who are the real stockholders to the bridge, but on the contrary, that the original stockholders should be secured; and particularly the state, which had no connection with the banking scheme.

In order to justify the committee in the conclusion they have made as respects the subscription of the new stock under the resolution of the 13th June, 1813, they have been governed by the provisions of the 9th section of the act of incorporation of the company, which authorises the president and managers, if necessary, to extend the number of shares so far as is sufficient for the completion of the bridge, and declares that the additional shares, so subscribed, shall be subject to the same regulations as the original stockholders. From this section it evidently appears, that no surplus was ever contemplated, or that any income was to be derived from that source; but that only such extension of stock should be made by the company as was requisite to complete the bridge. By the 14th section, the company have power to regulate their toll, in order to enable them to make a dividend of six per cent. The limitation by the legislature, of the stock of the company to \$400,000, was provided on the uncertainty of what the bridge would cost, and was not with the view of creating a surplus capital, or else they would have made no special provision for the enlargement of the stock; in case the same did not exceed the limited subscription authorised by the act of incorporation.

From this view of the subject the committee are of opinion, that the legislature, after ascertaining the quantity of stock necessary to defray the expenses of the completion of the bridge, has a right to fix that as the standard, by which the interest of the state should be proportioned in the same; and from the investigation made, the costs of the bridge are estimated at \$231,771 49, towards which the state has paid \$90,000. In the security of this sum the state ought to be amply protected, leaving the rest of the stockholders (who have all been connected in establishing the banking project) to equalize and divide their stock, so as to make the real stock of the company to be settled and fixed at \$231,771 49. And the proceeds of the revenue, arising from the tolls of the bridge, after deducting the expenses of repair and other incidental charges, on the amount of stock, limited and settled at \$231,771 49—and future dividends shall be declared and apportioned among the stockholders interested in that amount of stock, and in the apportionment of the dividends, the state to be considered a stockholder to the

amount of \$90,000, originally subscribed on her behalf. The committee therefore submit the following resolution:

*Resolved*, That a committee be appointed to report a bill to provide for the effectual security of the interest of the state in the stock of said company.

Ordered, To lie on the table.

On motion of Mr. M'Meens and Mr. Piper,

Ordered, That the usual number of copies of the foregoing report, be printed for the use of the members.

The bill, entitled

"A supplement to the act entitled "An act for incorporating the German Lutheran Congregation, in and near the borough of Lancaster, in the state of Pennsylvania;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act concerning Bills of Exchange;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act authorising the Secretary of the commonwealth to purchase one hundred copies of Purdon's Digest of the Laws of Pennsylvania;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

A motion was made by Mr. Grosh and Mr. Davidson, and read as follows, to wit:

Resolved, That the following rule, when adopted by the House of Representatives, be a rule to regulate the transmission and reception of bills, between the two Houses, during the present session; only to be dispensed with on the concurrence of two thirds of the members present in each, to wit:

No new bill, or resolution in the nature of a bill, shall be transmitted from, or received by either House within six days

of the time which shall have been agreed upon, by both Houses for the final adjournment of the legislature."

On motion,

Said resolution was again read, considered and adopted.

Ordered, That the clerk inform the House of Representatives accordingly.

On motion of Mr. Conyngham and Mr. Willett,

The resolution read on the 26th instant, relative to the statute of frauds and perjuries, was again read, and the same having been modified to read as follows, to wit:

"Resolved, That the committee on the judiciary system, be instructed to enquire whether any, and if any what alterations ought to be made in the act for the prevention of frauds and perjuries."

It was considered and adopted.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill entitled

"A supplement to an act entitled "An act to authorise the Auditor-General to settle and adjust the accounts of the treasurer and managers of the Susquehanna lottery."

And after some time,

The committee rose, reported progress, and obtained leave to sit again on Saturday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill entitled

"A supplement to an act entitled "An act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill."

And after some time,

The committee rose and reported said bill with one amendment, which was read.

On motion of Mr. M'Meens and Mr. Conyngham,

Ordered, That the address to the Governor for the removal from office of Edward Russell, a justice of the peace of Bradford county, be referred to a committee; and that Mr. M'Meens, Mr. Eyster, Mr. Breck, Mr. Coleman and Mr. Hurst, be the committee.

Adjourned until 10 o'clock to-morrow morning

**TUESDAY, January 30, 1821.**

Mr. Piper presented a petition from sundry inhabitants of Bedford county, praying for the passage of a law to authorise the erection of a poor-house, in said county; and

The same was read, and referred to Mr. Piper, Mr. Power and Mr. Feger.

Mr. Dickerson presented a petition from sundry inhabitants of the village of Taylorstown, in the county of Washington, praying that said village may be incorporated into a borough; and

The same was read, and referred to Mr. Dickerson, Mr. Raguet and Mr. Markley.

Mr. Winter presented a petition from sundry inhabitants of Northampton county, praying for certain alterations in the laws relative to the fisheries in the river Delaware; and

The same was read and laid on the table.

Mr. Power presented a petition from William Hammon, stating that he served a tour of six months in the militia, during the late war, in consequence of which he became entitled to a bounty of twenty dollars from the state, which he never received, and praying that the same may now be granted to him; and

Said petition was read and referred to the committee on claims.

Mr. Hill presented a petition from sundry inhabitants of Greene county, stating that they have understood that petitions have been, or will be presented to the legislature, for the passage of a law to incorporate Washington, Fayette and Greene counties into one district, for the purpose of erecting a poor-house, and praying that the mode of maintaining the poor of Greene county may not be changed; and

Said petition was read and laid on the table.

The speaker laid before the Senate a letter from the Auditor-General, together with the document therein referred to, which was read as follows, to wit:

*Auditor General's Office, 30th Jan. 1821.*

SIR,

The enclosed copy of the report of the president and mana-

of the time which shall have been agreed upon, by both Houses for the final adjournment of the legislature."

On motion,

Said resolution was again read, considered and adopted.

Ordered, That the clerk inform the House of Representatives accordingly.

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Said petition was read and laid on the table.

The speaker laid before the Senate a letter from the Auditor-General, together with the document therein referred to, which was read as follows, to wit:

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*Auditor General's Office, 30th Jan. 1821.*

SIR,

The enclosed copy of the report of the president and mana-

gers of the Huntingdon, Cambria and Indiana turnpike road, is respectfully submitted to the Senate, in conformity with the forty-sixth section of the act of the twenty-fourth March, 1817, entitled "An act making appropriations for internal improvement."

Very respectfully, sir,  
Your most obedient servant,  
GEO. BRYAN.

*The honorable speaker of the }  
Senate of Pennsylvania. }*

*To George Bryan, Esq. Auditor-General of the Commonwealth of Pennsylvania.*

The president and managers of the Huntingdon, Cambria and Indiana turnpike road company report, for the information of the legislature, the following statement of the accounts of said company.

*The Expenses are:*

Amount of contract for making and finishing seventy-three miles and a half of said road, from the east bank of Connemaugh river, in Indiana county, to the west end of the town of Alexandria, in Huntingdon county, \$231,529 70½

*Incidental charges.*

For commissioners, &c. to measure the old road, from Connemaugh river to Huntingdon, and the turnpike from Martin Reager's to John Blair's—To ascertain the sum due the latter, from the appropriation of \$100,000, from the Connemaugh river to Alexandria—For the pay of the president and managers from May, 1815—For pay of surveyors, chain carriers and markers, laying out the road from Connemaugh to Huntingdon—For printing, postage and stationary—To the Secretary of the Commonwealth for charter, commissions to commissioners to view and take up road, &c.—For expense of said commissioners viewing and reporting to the Governor, in the years 1816-17-18-19 and 20—To the secretary, treasurers and superintendants, for their salaries, and for damages to property and in taking materials, &c. &c. 24,870 75½

Making \$256,399 45½



The funds of the company to discharge the above, are sundry appropriations from the state in favor of said company, which is all paid, \$136,850

Amount of stock subscribed by individuals, \$45,101 21½, of which is paid, and the balance \$16,348 78½, is yet to pay, making together, the sum of 61,450

Surplus of tolls, after paying the expense of toll-houses, repairs and gate-keepers' wages, 3,192 29

	201,492 29
Amount of debt due on the road already made,	54,907 16½
To which, add the amount of sales of the road yet to make, from Alexandria to Huntingdon,	14,677 00
	69,584 16½

To which may be added the building of two bridges across the Juniatta river, on the road yet to make, (which will be highly necessary in order to make the road useful), estimated at	15,000 00
	84,584 16½

#### *Tolls.*

Since the company have commenced taking tolls upon this road, they have received the sum of	11,726 27½
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Out of which sum they have expended, in building toll-houses and repairs of the road, the sum of	6,583 98½
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And in payment of the different gate-keepers' salaries, the sum of	1,950 00
	\$8,533 98½

Leaving a balance of	\$3,192 29
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The president and managers have applied the above balance in payment of the debts of the company, as appears by the foregoing statement. This fund will be much more productive in future, there being a much greater length of road to take tolls upon, and the fund is relieved from the building of toll-houses and the extraordinary repairs incident to a new road.

All which is respectfully submitted.

By order of the board,

JOHN BLAIR, *President.*

Attest—DAVID STEWART, *Secretary.*

January 20, 1821.

Correctly copied,

GEO. BRYAN, *A. G.*

Ordered, To lie on the table.

Mr. Dickerson, from the committee on claims, to whom was referred on the 7th ult. the petition of John Hoff, an old revolutionary soldier, made report, which was read as follows, to wit:

That the petitioner states, that he served a considerable time in the revolutionary war as a conductor of ordinance and military stores, which service amounted to nearly \$1500, which, he states, he received in highly depreciated continental money; he also states, that he is old and in indigent circumstances, and prays to be placed on the pension list of this state; and he further states, that he never belonged to the Pennsylvania line.

Your committee cannot give their consent to place a man on the pension list of this state who did not serve in the Pennsylvania line.

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

Mr. Dickerson, from the committee on claims, to whom was referred on the 22d instant, the petition of Ezekiel and George Shelcut, who represent themselves to be the only legal heirs and representatives of Ezekiel Shelcut, a revolutionary soldier, deceased; made report, which was read as follows, to wit:

That the petitioners state, that Ezekiel Shelcut, their father, enlisted and served until the end of the revolutionary war, and that he was entitled to land; and they therefore pray that the land may be granted to them.

Your committee find, upon examining the books in the Auditor-General's office, that said Shelcut drew his pay up to the end of the war, but they have no evidence of his being entitled to land.

Therefore.

Resolved, That the committee be discharged from any further consideration of the subject.

Ordered, To lie on the table.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"A further supplement to an act entitled "An act to alter the judiciary system of this commonwealth;" which was read the first time.

Mr. Raguet, from the committee to whom was referred, a petition signed by a number of the inhabitants of the city and county of Philadelphia, praying the legislature to pass a law authorising auctioneers to make sales of groceries and other bulky articles, on the foot-ways and in the public streets of the said city; as also a remonstrance from the select and common councils of Philadelphia, against the passage of such a law, made report, which was read as follows, to wit:

That, in their opinion, it is inexpedient for the legislature to interfere with the police regulations of Philadelphia; and they therefore recommend to the Senate, the adoption of the following resolution:

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

The bill entitled

"A supplement to an act entitled "An act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Smith and Mr. Leib,

To amend the same, by striking therefrom all that follows the enacting clause, and inserting in lieu thereof the following words, to wit:

"That the act entitled "An act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill, shall not be so construed as to authorise the Court of Quarter Sessions of the county of Philadelphia to make any order upon any petition for opening

a street, lane or alley over the public squares and state-house yard, or either of them."

• On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

The title was agreed to, after being amended, by striking therefrom the words "A supplement to an act entitled "An" and by inserting in lieu thereof the words "An act explanatory of the."

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Power in the chair, on the bill from the House of Representatives, entitled

"An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb."

And after some time,

The committee rose and reported said bill with amendments, which were read.

The clerk of the House of Representatives being introduced, returned the bill entitled

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill."

And informed, that the House of Representatives have passed said bill without amendment.

He further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz:

"An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns."

"An act to incorporate the proprietors of the Philadelphia Museum."

Also, to—

"Resolution relative to the removal of obstructions in the entrance of Erie Harbor."

Adjourned until 10 o'clock to-morrow morning.

**WEDNESDAY, January 31, 1821.**

Mr. Willett presented a petition from sundry inhabitants of Union county, praying for the passage of a law to regulate the practice of medicine; and

The same was read and laid on the table.

Mr. Conyngham presented two remonstrances of similar tenor, together with a document, against the removal of Edward Russell, a justice of the peace of Bradford county; and

The same were read, and referred to the committee appointed on the subject to which they relate, on the 29th instant.

Mr. Hill presented a petition from sundry inhabitants of Greene county, praying for the passage of a law to appropriate money for the improvement of roads, rivers and bridges; and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Coleman, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor, for his approbation, the

"Resolution relative to the removal of obstructions in the entrance of Erie Harbor;" the

"Resolution relative to the inspection of bark, pork, &c. in the city and county of Philadelphia;" and the bills entitled as follow, to wit:

"An act for the relief of Frederick Wendt, an old soldier."

"A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill."

"An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns."

"An act vesting a title to thirty acres of land, in Upper Mahanoy township, in Northumberland county, in certain trustees

and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans."

"An act to incorporate the proprietors of the Philadelphia museum."

"A supplement to an act entitled "An act authorising the Governor to incorporate the president, managers and company of the Connemaugh bridge company."

Ordered, To lie on the table.

Mr. Hubley, from the committee appointed for the purpose on the 24th instant, reported a bill entitled

"An act to raise by way of lottery a sum not exceeding twelve hundred dollars, to defray the expenses of building a church in the town of M'Keansburg, in the county of Schuylkill;" which was read the first time.

The bill entitled

"An act explanatory of the act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives, for concurrence.

On motion of Mr. Raguet and Mr. Markley,

The Senate resumed the third reading and consideration of the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned," passed the thirty-first of March, one thousand seven hundred and ninety-two;" postponed for the present on the 27th instant.

Whereupon,

A motion was made by Mr. Raguet and Mr. Davidson,

That the Senate resolve itself into a committee of the whole, for the purpose of adding a new section, in the following words, to wit:

"Section 2. And be it further enacted by the authority aforesaid, That where any person or persons shall apply to the Supreme Court or Court of Common Pleas of the county wherein any lands or tenements contracted for shall lie, in order to have the contract of any deceased person or persons proved, in pursuance of the provisions of the first section of the act to which

this is a supplement; and it shall appear that the witness or witnesses necessary to prove such contract, reside out of the county wherein the lands lie, it shall be lawful for such court to issue a commission to any judge, justice of the peace, or other competent person of the county, in which the witness or witnesses reside, to take the testimony of such witness or witnesses, at a time and place therein mentioned, which testimony, when so taken, shall be returned to the court issuing the commission, and the same being adjudged sufficient, such further proceedings shall be had thereon as are authorised by the act to which this is a supplement."

On the question,  
Will the Senate agree to said motion?  
It was determined in the affirmative.

Whereupon,  
The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on said bill.

And after some time,  
The committee rose and reported said bill with one amendment, which was read.

The question recurring,  
Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Dickerson and Mr. Power,  
The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled  
"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve;" postponed for the present on the 26th instant.

Section one recurring, and having been considered,

On the question,  
Will the Senate agree to the same?

The yeas and nays were required by Mr. Dickerson and Mr. Piper, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Dickerson, Eichelberger, Hill, Hubley,	Messrs. Hurst, Markley, Piper, Power, Willett. Marks, Speaker. 13.
NAYS.	NAYS.
Messrs. Breck, Coleman, Davidson, Eyster, Feger, Fry, Grosh, Leib,	Messrs. M'Meens, M'Mullin, Raguet, Sawyer, Smith, Wallace, Winter, 15.

So it was determined in the negative, and the bill lost.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, together with the documents therein referred to, which were read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I herewith transmit for your consideration the copy of a report made by the commissioners appointed on the 20th day of September, 1820, to view the second section of five miles south of Waterford, of the turnpike road from the river Susquehanna, near the mouth of Anderson's creek, to the town of Waterford. The description of the road, in the report, is such as induces me to believe that it is not completed according to the true intent and meaning of the act of assembly, and therefore have declined granting a license to the company to collect tolls from persons travelling on the same. Under these circumstances, therefore, I have thought it proper to submit the subject to the consideration and decision of the legislature.

I have directed to be laid before you, at the same time, copies of a letter from the Governor of the state of New-Hampshire, conveying a resolution of the legislature of that state, disagree-



ing to an amendment to the constitution of the United States, proposed by the legislature of this commonwealth.

JOSEPH HESTER.

*Harrisburg, January 31, 1821.*

*To His Excellency William Findlay, Esq. Governor of the Commonwealth of Pennsylvania.*

SIR,

In obedience to your commission, under the great seal of the said commonwealth, dated the 20th day of September, 1820, to us directed, to view and examine the second section of the five miles of the "turnpike road from the river Susquehanna, near Anderson's creek to the town of Waterford," agreeably to the provisions of the act of the general assembly of the said commonwealth, passed the 22d day of February, 1812: We, the undersigned, beg leave to report to your excellency, that we have carefully and patiently examined the said section of five miles, commencing at the south end of the first section of the said road, to the north side of French Creek; that the road is cut and opened sixty feet wide; that an artificial road of twenty feet wide is made in a workmanlike manner, and composed of wood and the natural materials of that part of the country through which it passes, with an even surface and proper curve; that good bridges have been erected over such streams of water as are necessary on said road, and that no part of the same exceeds an elevation of four and an half degrees from a horizontal line.

Very respectfully,

We are,

Your Excellency's obedient servants,

THOMAS FORSTER,

J. GRUBB,

JOHN PHILLIPS,

*Commissioners.*

*Erie County, Waterford, }  
November 1, 1820. }*

STATE OF NEW-HAMPSHIRE,

*Executive Department,*

*Chester, January 10, 1821.*

SIR,

I have the honor to transmit you the accompanying copy of a

**Resolve**, passed by the legislature of this state at its last session.

I have the honor to be,

Very respectfully,

Your Excellency's most obedient servant,

SAMUEL BELL.

*His Excellency* JOSEPH HIESTER,  
Governor of the Commonwealth  
of Pennsylvania. }

STATE OF NEW-HAMPSHIRE,

*In the year of our Lord one thousand eight hundred and twenty.*

Resolved by the Senate and House of Representatives in General Court convened, That it is inexpedient to concur in the amendment to the constitution of the United States, proposed to the consideration of the several states, by the state of Pennsylvania, which is in the following words, to wit:

"Congress shall make no law to erect or incorporate any bank or monied institution, except within the district of Columbia—and every bank, or monied institution, which shall be established by the authority of congress, shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia."

Resolved, That the Governor of this state be requested to transmit copies of the foregoing resolution to the Executives of the several states, with a request, that they lay the same before the legislatures thereof.

In Senate, December 15, 1820—The foregoing Resolves were read and passed.

Sent down for concurrence,

JONATHAN HARVEY, *President.*

In the House of Representatives, December 20, 1820, read and concurred.

MATTHEW HARVEY *Speaker.*

December 21, 1820—Approved

SAMUEE BELL.

A true copy.

Attest—SAMUEL SPARHAWK, *Secretary.*

Ordered, To lie on the table.

The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

"An act for the relief of Jefferson and Washington Colleges;" which was read the first time.

On motion of Mr. M'Meens and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the

"Resolution relative to certain obstructions in the navigable streams running out of this state into the state of New-York."

And after some time,

The committee rose and reported said resolution with amendments, which were read.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, informing, that he has this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of Isaac Hartzell, Esquire, a justice of the peace of Luzerne county; and

The same was read and laid on the table.

The speaker also laid before the Senate another letter from the Secretary of the Commonwealth, stating that he has this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations taken in the case of Salmon Keeney, a justice of the peace of Bradford county; and

The same was read and laid on the table.

On motion of Mr. Raguet and Mr. Davidson,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

"An act to continue and make perpetual, the District Court for the city and county of Philadelphia."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

On motion of Mr. Davidson and Mr. Eichelberger,

The Senate adjourned until 3 o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill entitled

"An act releasing to Elizabeth Mattenly, the right of this commonwealth to a certain escheated estate."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Friday next.

On motion of Mr. Markley and Mr. Wallace,

The Senate resolved itself into a committee of the whole, Mr. Wallace in the chair, on the bill entitled

"An act authorising the judge of the District Court, of the city and county of Lancaster, to try certain causes in Huntingdon county."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Saturday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill, entitled

"An act for the relief of Eve Lorentz, the widow of an old soldier."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Tuesday next.

On motion of Mr. Raguet and Mr. Davidson,

The report of the committee on the penitentiary system, read on the 27th instant, was again read, and the resolution thereto attached, considered and adopted; and

Ordered, That the committee who made the report, be a committee for the purposes therein expressed.

Adjourned until 10 o'clock to-morrow morning.

**THURSDAY, February 1, 1821.**

Mr. Sawyer presented a petition from Christian Gleim and John S. Wiestling, praying to be employed to print a sixth volume of the Laws of this Commonwealth, arranged and digested in manner and form of, and to correspond with the five volumes of "Smith's Laws" already published; and

The same was read and laid on the table.

Mr. Alter presented twenty-six remonstrances of similar tenor from sundry inhabitants of Perry county, against removing the place of holding the Courts of said county from Landisburg to Millerstown; and

The same were read, and referred to the committee appointed on the 24th ult. on the subject to which they relate.

The speaker laid before the Senate a letter from John Melish, relative to the publication of a State Map; and

The same was read, and referred to the committee appointed on the same subject on the 20th of last month.

Mr. Davidson, from the committee on accounts, made report, which was read as follows, to wit:

That they have examined the account of Joseph A. M'Jimsey, the clerk of the Senate for making an index to the journal of the Senate of the last session, and indices to the bills of the Senate and of the House of Representatives of the four last sessions, and find due him, the sum of one hundred and forty dollars, as per bill hereunto annexed.

But, your committee cannot disguise their disapprobation to the practice, which has long obtained in both Houses of the legislature by paying their respective clerks for making indices for their journals while they were receiving \$500 annually, besides their per diem allowance of \$4, which was, in the opinion of your committee, an ample allowance for all services rendered by them, including the journal indices; and as custom is the only justification which your committee can offer in favor of the above account, and believing it their duty to endeavor to prevent a similar charge in future, they submit to the Senate, for their consideration the following resolution:

Resolved, That the speaker draw his warrant on the State Treasurer, in favor of Joseph A. M'Jimsey, for the sum of one

hundred and forty dollars, in full for making indices for the journal of the Senate of the last session, and the bills of the Senate and of the House of Representatives of the four last sessions; and that in future no allowance ought to be made for indices or any other services performed by the clerk of the Senate during the recess, unless the value thereof should amount to more than his annual salary.

*The following is the account:*

January 1821—To making an index to the journal of the Senate of last session, \$50 00

*Indexes made pursuant to a Resolution of last session—page 307, viz:*

To making indexes to the bills of the Senate of the four last sessions, at \$10, 40 00.

To making indexes to the bills of the House of Representatives of the four last sessions, at \$12 50, 50 00

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Amount 140 00

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

Mr. Raguet, from the committee on the Penitentiary System, reported a bill entitled

“An act to establish throughout the commonwealth, the system of Solitary Confinement as a punishment for convicts;” which was read the first time.

Mr. Grosh read a bill in his place, and on leave given, presented the same to the chair, entitled

“A supplement to the act regulating Tin Pedlars;” which was read the first time.

Mr. Conyngham read a bill in his place, and on leave given, presented the same to the chair, entitled

“An act to extend the time for Patenting of Lands in the seventeen townships of Luzerne;” which was read the first time.

The resolution relative to certain obstructions in navigable streams running out of this state into the state of New-York, was read the second time as reported by a committee of the whole yesterday, considered and adopted.

Ordered, That the clerk present said resolution to the House of Representatives for their concurrence.

On motion of Mr. Wallace and Mr. Conyngham,  
The Senate resumed the second reading and consideration of the bill entitled

"An act to encourage the destruction of red foxes, crows and blackbirds within this commonwealth;" postponed for the present on the 26th instant.

Section one recurring, was considered and agreed to.

Section two was considered and agreed to.

The title was agreed to after being amended to read as follows, to wit:

"An act to encourage the destruction of red foxes, crows and blackbirds, within the counties of Huntingdon, Mifflin, Centre and Clearfield."

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill entitled

"An act to authorise Thomas R. Peters, to erect a dam on Toby's creek, otherwise called Clarion river, and for other purposes."

And after some time,

The committee rose, reported progress, and obtained leave to sit again to-morrow.

The clerk of the House of Representatives being introduced, presented for concurrence, four bills entitled as follow, viz.

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased."

"A supplement to the several acts of this commonwealth concerning Partitions."

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of the town of Gratz, in Dauphin county, to the borough of Reading in Berks county."

"An act to authorise the Governor to contract with John Bioren, for printing the sixth volume of the Laws of this Commonwealth."

He informed, that the House of Representatives have non-concurred in the amendments by the Senate, to the bill entitled

"An act authorising the secretary of the commonwealth to

purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania."

On motion of Mr. Davidson and Mr. M'Meens,  
The Senate *adhered* to their amendments to said bill, and  
Ordered, That the clerk inform the House of Representatives accordingly.

The bills presented for concurrence were read the first time.

Agreeably to order,

The Senate again resolved itself into a committee of the whole.  
Mr. Sawyer in the chair, on the bill entitled

"An act to continue and make perpetual the District Court for the city and county of Philadelphia."

And after some time,

The committee rose and reported said bill with amendments, which were read.

Adjourned until 10 o'clock to-morrow morning.

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## FRIDAY, February 2, 1821.

Mr. Hill presented a petition from sundry inhabitants of Greene county, stating that they have understood that petitions have been, or will be presented to the legislature, for a law to incorporate Washington, Fayette and Greene counties into one district, for the purpose of erecting a poor-house, and praying that the present mode of maintaining the poor in Greene county may not be changed; and

The same was read and laid on the table.

Mr. Conyngham, from the committee appointed on the 19th instant, on the subject of escheats, made report, which was read as follows, to wit:

That in the opinion of the committee, a large and valuable property has escheated to this commonwealth, and as it is desirable to bring into the state treasury the amount of the real, and



personal estate of all persons who have died without any known kindred, and as the act of assembly entitled "An act to declare and regulate Escheats," passed in the year one thousand seven hundred and eighty-seven, September the 29th, is defective and inoperative, inaswuch as the Escheator-General is directed to hold an inquest on the estate said to be escheated; and the law does not provide for the payment of the necessary expenses incurred by holding said inquisition; and as the Escheator-General is compelled to give a bond, in the sum of two thousand pounds for the faithful performance of his duty, and the fees of his office are not equivalent or proportionate to the services required of him to be performed, and as the present act is a mere dead letter

Therefore

Resolved, That a committee be appointed to bring in a bill embracing such provisions as are requisite to supply the defects in the original law.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted; and

Ordered, That the committee who reported, be a committee for the purpose therein expressed.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled  
"An act to establish a Fifteenth Judicial District;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, also reported a bill entitled

"An act to establish a Sixteenth Judicial District;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, also reported a bill entitled

"An act to alter the Second Judicial District;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, also reported a bill entitled

"An act to regulate the Payment of Costs on Indictments;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, also reported a bill entitled

"An act to compel the Guardians of Minor Children to give security for the faithful discharge of their duties;" which was read the first time.

The bill entitled

"An act to encourage the destruction of red foxes, crows and blackbirds within the counties of Huntingdon, Mifflin, Centre and Clearfield;" was read the third time; and

Resolved, That it pass;

The title being first amended, by striking therefrom the words "and blackbirds," and by inserting between the words "foxes, crows," the word "and."

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill, entitled

"An act to continue and make perpetual the District Court for the city and county of Philadelphia;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,

A motion was made by Mr. Smith and Mr. M'Meens,

To amend the same, by striking from lines ten and eleven the words "and declared to be perpetual," and by inserting in lieu thereof the words "for and during the term of four years."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. M'Meens and Mr. Power, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Davidson,  
Eichelberger,  
Eyster,  
Fry,  
Hurst,  
Markley,

NAYS.

Messrs. Breck,  
Coleman,  
Conyngham,  
Dickerson,  
Feger,  
Grosh,

YEAS.

Messrs. M'Meens,  
Piper,  
Power,  
Smith,  
Wallace,  
Willett,  
Winter,  
Marks, speaker. 16.

NAYS.

Messrs. Hill,  
Hubley,  
Leib,  
M'Mullin,  
Raguet.

11

So it was determined in the affirmative.

A motion was then made by Mr. Davidson and Mr. Markley, Further to amend said section by striking therefrom the following words, to wit:

"An act to provide for an additional court within the city and county of Philadelphia, passed the thirtieth day of March, one thousand eight hundred and eleven, and the several supplements thereto, passed respectively the third day of March, one thousand eight hundred and twelve; the ninth day of March, one thousand eight hundred and fourteen, and the thirteenth day of March, one thousand eight hundred and seventeen, shall be, and the same, together with the said several supplements are,"

And by inserting in lieu thereof the following words to wit:

"An act to continue the District Court for the city and county of Philadelphia, passed the thirteenth day of March, eighteen hundred and seventeen, be, and the same is."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

Section two being under consideration,

A motion was made by Mr. Raguet and Mr. Davidson.

To amend the same, by inserting after the word "that," in line two, the following words, to wit:

"From and after the said thirtieth day of March next, the said court shall consist of three judges, one whereof shall be president, who shall severally receive the same compensation as the president of the said court is now entitled by law to receive, payable as is therein provided, and"

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

A motion was then made by Mr. Raguet and Mr. Davidson,

To amend said bill, by adding a new section in the following words, to wit:

"Section 3. And be it further enacted by the authority aforesaid, That any two of the said judges, in case of the absence or inability of the others, shall have power to try, hear and determine all civil pleas and actions, real, personal and mixed, and for the trial of all such pleas and actions, shall have and exercise the same powers, authorities and jurisdiction as are now vested by law in the said court."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Leib and Mr. Power,

To amend said amendment, by striking therefrom the words "absence or," which was not agreed to, and the amendment was then agreed to.

A motion was then made by Mr. Raguet and Mr. Davidson,

Further to amend said bill, by adding a new section in the following words, to wit:

"Section 4. And be it further enacted by the authority aforesaid, That so much of the said act as is inconsistent with the provisions of this act, be, and the same are hereby repealed."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

The title was agreed to, after being amended by striking therefrom the words "and make perpetual," and by inserting in lieu thereof the words "for four years."

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill from the House of Representatives, entitled

"An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased."

And after some time,

The committee rose and reported said bill without amendment

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill entitled

"An act releasing to Elizabeth Mattenly, the right of this commonwealth to a certain escheated estate."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill from the House of Representatives, entitled

“A supplement to the several acts of this commonwealth concerning partitions.”

And after some time,

The committee rose and reported said bill without amendment.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and resolutions of the general assembly, and directed the Secretary to return them to the Houses in which they respectively originated, to wit:

“A further supplement to an act entitled “An act to authorise the Governor to incorporate a company to make a lock navigation on the river Schuylkill.”

“An act for the relief of Frederick Wendt, an old soldier.”

“An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns.”

“A supplement to an act entitled “An act authorising the Governor to incorporate the president, managers and company of the Connemaugh bridge company.”

“An act vesting a title to thirty acres of land, in Upper Mahanoy township, in Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans.”

“An act to incorporate the proprietors of the Philadelphia museum.”

“Resolution requesting our Senators and Representatives in congress, to use their exertions to procure the passage of a law of the United States, providing for the removal of the obstructions in the entrance of Erie Harbor.”

“Resolution requiring the inspectors of beef and pork, of shad and herring, of butter and lard, of whiskey, of gun-powder, of staves, heading and shingles, and of boards, plank and timber within the city and county of Philadelphia, to report in the month of January, in each and every year, under oath, to the

Auditor-General, the quantity of the various species of articles by them severally inspected, during the preceding year."

JOSEPH HIESTER.

*Harrisburg, February 1, 1821.*

Ordered, To lie on the table.

On motion of Mr. Hubley and Mr. Feger,

The Senate again resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of the heirs of James Moore, deceased, and for other purposes."

And after some time,

The committee rose, and reported said bill without amendment.

Adjourned until 10 o'clock to-morrow morning.

## SATURDAY, February 3, 1821.

Mr. Conyngham presented a petition from sundry inhabitants of this commonwealth, praying that an alteration may be made in the Arbitration Law, so far as relates to the pay of arbitrators; and

The same was read, and referred to the committee on the judiciary system.

Mr. Conyngham also presented a petition and documents from Rebecca Brown, praying to be divorced from the bonds of matrimony; and

The same were read, and referred to Mr. Conyngham, Mr. Fry and Mr. Allshouse.

Mr. Feger presented a petition and documents from Sarah Messer, praying to be divorced from the bonds of matrimony; and

The same were read, and referred to Mr. Feger, Mr. Eichelberger and Mr. Hill.

Mr. Alter presented a petition from sundry inhabitants of Cumberland county, stating that they labor under great inconveniences by reason of the severity of the act made to prevent swine from running at large, and praying that the same may be repealed or amended; and

Said petition was read, and referred to Mr. Alter, Mr. Davidson and Mr. M'Meens.

Mr. Raguet, from the committee on the Penitentiary System, reported a bill entitled

"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia;" which was read the first time.

Mr. Breck, from the committee to whom was referred, on the 16th ult. the petition of Bernard M. Carter, on leave given, reported a bill entitled

"An act to annul the marriage of Bernard M. Carter, and Lucy Grymes his wife;" which was read the first time.

The bill, entitled

"An act to continue, for four years, the District Court for the city and county of Philadelphia;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Smith and Mr. Davidson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse,	Messrs. Hill,
Alter,	Hubley,
Breck,	Leib,
Coleman,	Markley,
Conyngham,	M'Meens,
Davidson,	M'Mullin,
Dickerson,	Piper,
Eichelberger,	Raguet,
Eyster,	Sawyer,
Feger,	Willet.
Fry,	Winter,
Grosh,	Marks, Speaker. 24.

NAYS.

Messrs. Hurst,  
Power,

NAYS.

Messrs. Smith,  
Wallace,

4

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives, for concurrence.

The speaker laid before the Senate a letter from Christian Gleim and John S. Wiestling, proposing to reduce their price for printing the sixth volume of the Laws of this Commonwealth to two dollars and twenty-five cents per copy; and

The same was read and laid on the table.

The bill, entitled

"An act releasing to Elizabeth Mattenly, the right of this commonwealth to a certain escheated estate;" was read the second time as reported by a committee of the whole yesterday.

Section one having been considered.

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. M'Meens and Mr. Power, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Breck,  
Conyngham,  
Fry,  
Hubley,  
Hurst,  
Leib,  
M'Meens,

YEAS.

Messrs. Power,  
Raguet,  
Sawyer,  
Smith,  
Wallace,  
Willetts  
Winter,  
Marks, Speaker,

17

NAYS.

Messrs. Coleman,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,  
Feger,

NAYS.

Messrs. Grosh,  
Hill.  
Markley,  
M'Mullin,  
Piper,

11.

So it was determined in the affirmative.



The preamble and title being agreed to.

Ordered, That said bill be transcribed for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence, two bills entitled as follow, viz.

"An act organizing Clearfield county, for Judicial purposes."

"An act for the relief of Dickinson College."

He returned the bill entitled—

"A supplement to the act entitled "An act for incorporating the German Lutheran Congregation, in and near the borough of Lancaster, in the state of Pennsylvania."

And informed, that the House of Representatives have passed said bill without amendment.

He also informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned," passed the thirty-first of March, one thousand seven hundred and ninety-two."

He further informed, that the House of Representatives adhere to their non-concurrence in the amendments insisted on by the Senate, to the bill entitled

"An act authorising the Secretary of the commonwealth to purchase one hundred copies of Purdon's Digest of the Laws of Pennsylvania."

And have appointed Messrs. Lawrence, Lombaert and Forward, a committee to confer with a committee of Senate (if Senate shall appoint such committee) on the subject of said amendments.

On motion,

Mr. Davidson, Mr. Hubley and Mr. M'Meens, were appointed a committee to confer with the above named committee; and

Ordered, That the clerk inform the House of Representatives accordingly.

The bills presented for concurrence were read the first time.

The bill from the House of Representatives, entitled

"A supplement to the several acts of this commonwealth concerning Partitions;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion,  
And by special order,  
Said bill was read the third time; and  
Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The bill entitled  
"An act for the relief of the heirs of James Moore, deceased, and for other purposes;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration,  
A motion was made by Mr. Hubley and Mr. Feger,  
To amend the same, by striking from line six the words "fourth of June," and inserting in lieu thereof "twentieth of May," and by striking from the same line the word "seventeen," and inserting in lieu thereof the word "five."

On the question,  
Will the Senate agree so to amend?

A motion was made by Mr. Dickerson and Mr. Power,  
To postpone the further consideration of said question, together with the section and bill until Monday next, which was agreed to.

The bill from the House of Representatives, entitled  
"An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Breck and Mr. Power,  
The Senate again resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill entitled  
"An act to authorise Thomas R. Peters, to erect a dam on Toby's Creek, otherwise called Clarion River, and for other purposes."

And after some time,  
The committee rose and reported said bill with amendments, which were read.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled

"A. supplement to an act entitled "An act to authorise the Auditor-General to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill, entitled

"An act authorising the judge of the District Court of the city and county of Lancaster, to try certain causes in Huntingdon county."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Adjourned until 10 o'clock on Monday morning.



## MONDAY, February 5, 1821.

Mr. Wallace presented two petitions of similar tenor from sundry inhabitants of Greenwood township, in the county of Mifflin, praying that said township may be annexed to Perry county; and

The same were read, and referred to the committee appointed on the subject to which they relate, on the 22d of December last.

Mr. Raguet presented a document signed by sundry inhabitants of West New-Jersey, relative to the claim of the Society of Seventh Day Baptists, to a certain lot of ground in the city of Philadelphia; and

The same was read, and referred to the committee appointed on the 6th of December last, on the subject to which it relates.

Mr. Breck presented a petition and documents from the "Philadelphia Society for alleviating the miseries of public prisons," praying that a law may be passed to provide for the erection of a Penitentiary upon the principle of solitary confinement in the eastern section of the state; and

The same were read and laid on the table.

Mr. Grosh presented three similar petitions from sundry inhabitants of York county, praying for a repeal of the laws relative to the fisheries in the river Susquehanna, so far as respects fishing upon certain particular days, except Sundays; and

The same were read, and referred to the committee appointed on the same subject on the 10th ult.

Mr. Coleman presented a petition from sundry inhabitants of Lancaster and York counties, praying that a law may be passed to license and regulate fish-baskets in the river Susquehanna; and

The same was read, and referred to Mr. Coleman, Mr. Sawyer and Mr. Eichelberger.

The speaker laid before the Senate a letter and documents from Charles L. Hutter, which were read as follows, to wit:

*Allentown, Pa. January 29, 1821.*

RESPECTED SIR,

Enclosed I transmit the depositions of *Peter Newhard, Esq.* late a member of the House of Representatives of this Commonwealth, and of *Mr. Charles Troxell*, late foreman in my printing-office, stating, as I trust, satisfactorily to the honorable the Senate, the reasons why the German journals of Senate of last year did not arrive at the seat of government in time to have them forwarded with the pamphlet laws to *all* the counties throughout the state.—If the loss of the English copy by Mr. Newhard had not happened, the journals would have been delivered about the first of June, which, (if I am correct), would have been in time to have them forwarded with the pamphlet laws. It is true, even in this case, the journals would not have been delivered until a considerable time after the period required by law; but the deposition of Mr. Troxell will show, that at *that* period, I had not even yet received the whole of the *English* copy; how was it therefore possible for me to have it at Harrisburg at that period in the *German* language?

Respectfully submitted to the consideration of the honorable the Senate, by

Sir, your obedient servant,

CHARLES L. HUTTER.

*The Hon. William Marks, }  
Speaker of the Senate. }*

Before me the subscriber, one of the justices of the peace, in and for the county of Lehigh, appeared personally, on this twenty-ninth day of January, 1821, Peter Newhard, Esq. who being duly sworn according to law, deposeth and sayeth, That in the winter of last year, while a member of the legislature, the deponent, on leave of absence, returned home, to Allentown, and was requested to deliver to Charles L. Hutter, then publisher of the German journal of Senate, the English journals or copy to be translated; that on the way deponent lost said English journal and could therefore not deliver to Mr. Hutter the same; that in consequence Mr. Hutter could not commence the printing of the German journal by ten days as soon as he could have done, had he received the English copy which deponent unfortunately lost. And further deponent sayeth not.

PETER NEWHARD.

Sworn and subscribed before me, the day and date above written, at Allentown. Witness my hand

NICHOLAS SAEGER.

Before me the subscriber, one of the justices of the peace, in and for the county of Lehigh, appeared personally, Charles Troxell, on the twenty-ninth day of January, A. D. 1821, who being duly sworn according to law, deposeth and sayeth, That he acted as foreman in the printing-office of Charles L. Hutter, during the last winter, and superintended the printing of the German journal of Senate; that Mr. Hutter was prepared with all the necessary materials to do the work before the commencement of the session; that he was delayed at least ten days, from the beginning, on account of Mr. Peter Newhard's having lost the English copy on his way home from Harrisburg; that subsequently, frequent delays of five or six days took place, owing to the non-receipt of the English copy, and that the last half sheets of the English journal did actually not arrive at Allentown until four or five days after the time had expired that Mr. Hutter was to have delivered the journals at Harrisburg; and that it was therefore an utter impossibility for Mr. Hutter to deliver his journals according to contract. Further deponent sayeth not.

CHARLES TROXELL.

Sworn the day above, before

NICHOLAS SAEGER.

Ordered, To lie on the table.

Mr. Conyngham, from the committee appointed for the purpose, on the 2d instant, reported a bill entitled

"A supplement to an act entitled "An act to declare and regulate Escheats;" which was read the first time.

Mr. Coleman, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor, for his approbation, the bills entitled as follows, to wit:

"A supplement to the act entitled "An act for incorporating the German Lutheran congregation, in and near the borough of Lancaster, in the state of Pennsylvania."

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned, passed the thirty-first of March, one thousand seven hundred and ninety-two."

"A supplement to the several acts of this commonwealth concerning Partitions."

Ordered, To lie on the table.

Mr. M'Meens, from the committee to whom was committed on the 29th ult.

"An address to the Governor, for the removal from office, of Edmund Russell, a justice of the peace of Bradford county;" reported said address without amendment.

The bill, entitled

"An act releasing to Elizabeth Mattenly, the right of this commonwealth to a certain escheated estate;" was read the third time; and

Resolved, That it pass.

The Senate resumed the third reading and consideration of the bill entitled

"An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne;" postponed on the 27th ult. until this day.

The question recurring,

Shall this bill pass?

The yeas and nays were required by Mr. Conyngham and Mr. Willett, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Brock, Cochran, Coleman, Conyngham, Feger, Hill,	Messrs. Hubley, Hurst, M'Mullin, Raguet, Sawyer, Wallace, Willetts,
	14
NAYS.	NAYS.
Messrs. Davidson, Dickerson, Eichelberger, Eyster, Fry, Grosh, Markley,	Messrs. M'Meens, Piper, Power, Smith, Winter, Marks, speaker.
	13

So it was determined in the affirmative.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled  
"An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

A motion was made by Mr. M'Meens and Mr. Sawyer,  
They having voted in the majority, to re-consider the vote given on the 31st ult. disagreeing to the bill from the House of Representatives, entitled

"An act authorising the Auditor-General to settle and adjust the accounts of the Pennsylvania Militia, that rendezvoused at Meadville, on the twenty-fifth of September, one thousand eight hundred and twelve."

On the question,  
Will the Senate agree so to re-consider?

It was determined in the negative.

The bill entitled

**"An act to authorise Thomas R. Peters, to erect a dam on Toby's Creek, otherwise called Clarion River, and for other purposes;"** was read the second time, as reported by a committee of the whole, on Saturday last, considered by section and agreed to; and

**Ordered, That it be transcribed for a third reading.**

The bill entitled

**"A supplement to an act entitled "An act to authorise the Auditor-General to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery;"** was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

**Ordered, That it be transcribed for a third reading.**

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

**"An act for the relief of the heirs of James Moore, deceased, and for other purposes;"** postponed for the present on Saturday last.

The amendment then proposed to section one, recurring and being under consideration,

A motion was made by Mr. Hill and Mr. M'Meens,

To postpone the further consideration of said amendment, together with the section and bill, for the present, and to commit the bill to a special committee, which was agreed to; and

**Ordered, That Mr. Hill, Mr. Hubley and Mr. Davidson, be the committee.**

Mr. Breck read a bill in his place, and on leave given, presented the same to the chair, entitled

**"An act appointing commissioners to construct a road in Clearfield county, from the seat of justice of said county, to the Moshannon Creek;"** which was read the first time.

Mr. Breck, also read in his place, a bill entitled

**"An act appointing commissioners to open and construct a road, in Lycoming county, from Carpenter's Mill, in Loyalsock township, to Hogland's Mill in Elkland township;"** which was read the first time.

Mr. Hubley read a bill in his place, and on leave given, presented the same to the chair, entitled

**"An act to repeal part of an act for the recovery of monies due to the commonwealth, from persons holding proprietary titles;"** which was read the first time.



The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day signed and approved the act entitled  
"A supplement to the several acts of this commonwealth concerning Partitions;"

And requested the Secretary of the Commonwealth, to return the same to the House of Representatives, whence it originated.

JOSEPH HIESTER.

*Harrisburg, February 5, 1821.*

Ordered, To lie on the table.

On motion of Mr. Breck and Mr. Piper,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"An act to authorise the Governor to contract with John Boren, for printing the sixth volume of the Laws of this Commonwealth."

And after some time,

The committee rose and reported said bill with amendments, which were read.

Agreeably to order,

The Senate proceeded to the consideration of the bill from the House of Representatives, entitled

"An act to extend the Charter of the Philadelphia Bank."

Whereupon,

On motion of Mr. Raguet and Mr. Markley,

Ordered, That said bill be committed to the committee on banks.

Adjourned until 10 o'clock to-morrow morning.

**TUESDAY, February 6, 1821.**

Mr. Conyngham presented a petition from sundry inhabitants of Luzerne county, praying that a law may be passed to authorise the call of a convention, for the purpose of amending the Constitution of this Commonwealth; and

The same was read, and referred to Mr. Conyngham, Mr. Markley, Mr. Hill, Mr. Leib, Mr. Piper, Mr. Raguet and Mr. Fry.

Mr. Cochran presented a petition from sundry inhabitants of Perry county, praying that the place of holding the Courts in said county, may be changed from Landisburg to Millerstown, until the public buildings shall be erected; and

Said petition was read, and referred to the committee appointed on the same subject of the 24th of January.

Mr. Grosh presented a petition and documents, from Jacob Balmer, an old soldier, praying to be placed on the pension list, in consideration of services performed by him during the revolutionary war; and

The same were read, and referred to the committee on claims.

Mr. Raguet presented a petition from John Kenworthy, of the city of Philadelphia, praying that a law may be passed to legitimate his two children, John and Mary; and

The same was read, and referred to Mr. Raguet, Mr. Smith and Mr. Cochran.

Mr. Willett presented a petition from sundry inhabitants of Greenwood township, in the county of Miffln, praying that said township may be annexed to the county of Union; and

The same was read and laid on the table.

Mr. Eichelberger presented a petition from the vestry and members of the German Evangelic Lutheran Congregation, of the borough of Hanover, in the county of York, praying that they may be authorised by law, to raise by way of Lottery, a sum of money not exceeding six thousand dollars, for the purpose of repairing their church and erecting a public school-house; and

Said petition was read, and referred to Mr. Eichelberger, Mr. Feger and Mr. Winter, with leave to report by bill or otherwise.

Mr. Eichelberger also presented a petition from the members of the German Reformed Congregation, of the borough of Hanover, in York county, praying to be authorised by law to raise by way of Lottery, the sum of two thousand dollars, for the purpose of erecting a dwelling-house, for the use and accommodation of the clergyman of said congregation; and

Said petition was read and laid on the table.

Mr. Alter presented a petition from Jacob Bicksler, praying to be authorised by law, to raise by way of Lottery, a sum of money not exceeding two thousand dollars, to aid him in re-building his mill which was destroyed by fire; and

Said petition was read, and referred to Mr. Alter, Mr. Grosh and Mr. Willett.

Mr. Hubley, from the committee appointed for the purpose, on the 24th ult. reported a bill entitled

"An act to raise by way of Lottery a certain sum of money, to be applied to complete Zion's Church, in the borough of Marietta, in the county of Lancaster;" which was read the first time.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"A supplement to the act entitled "An act for the prevention of Frauds and Perjuries;" which was read the first time.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the Governor for his approbation, a bill entitled

"An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased."

Ordered, To lie on the table.

The bill entitled

"An act to authorise Thomas R. Peters, to erect a dam on Toby's creek, otherwise called Clarion river, and for other purposes;" was read the third time; and

Resolved, That this bill pass.

The bill, entitled

"A supplement to an act entitled "An act to authorise the Auditor-General to settle and adjust the accounts of the treas-

rer and managers of the Susquehanna Lottery; was read the third time; and

**Resolved, That it pass;**

**Ordered, That the clerk present said bills to the House of Representatives for concurrence.**

The bill from the House of Representatives, entitled

"An act authorising the Governor to contract with John Biorren, for printing the sixth volume of the Laws of this Commonwealth;" was read the second time, as reported by a committee of the whole yestereay, considered by section and agreed to; and

**Ordered, That it be prepared for a third reading.**

On motion of Mr. Hill and Mr. Dickerson,

The following resolution was twice read, considered and adopted, to wit:

"Resolved, That the committee on roads, bridges and inland navigation, be instructed to bring in a bill, authorising and requiring the Governor to appoint three competent persons, (one of whom shall be a practical surveyor), to view and lay out a state road from Waynesburg, in Greene county, through Washington, in Washington county, to the borough of Beaver, in Beaver county,"

On motion of Mr. Breck and Mr. Cochran,

The bill from the House of Representatives, entitled

"An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb;" was read the second time, as reported by a committee of the whole on the 30th ult.

Sections one, two and three, were severally considered and agreed to.

Section four being under consideration,

A motion was made by Mr. Markley and Mr. Fry;

To amend the same, by striking from line four the word "eight," and by inserting in lieu thereof the word "five," and by striking from line eleven the word "eight," and by inserting in lieu thereof the word "five."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Markley and Mr. M'Meens, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse, Alter, Dickerson, Fry, Hurst, Markley, M'Meens,		Messrs. Piper, Power, Sawyer, Smith, Winter, Marks, Speaker.	13.
NAYS.		NAYS.	
Messrs. Breck, Cochran, Coleman, Conyngham, Davidson, Eichelberger, Eyster, Feger,		Messrs. Grosh, Hill, Hubley, Leib, M'Mullin, Raguet, Willett.	15.

So it was determined in the negative.

A motion was then made by Mr. Smith and Mr. M'Meens,

To amend said section, by striking from line nine the word "four," and by inserting in lieu thereof the word "three," which was agreed to.

A motion was then made by Mr. Smith and Mr. Fry,

Further to amend said section by striking from line four the word "eight." and

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Smith and Mr. Power, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse, Alter, Dickerson, Fry, Hurst, Markley, M'Meens,		Messrs. Piper, Power, Sawyer, Smith, Wallace, Winter, Marks, Speaker.	14

## NAYS.

Messrs. Breck  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Feger,

## NAYS.

Messrs. Grosh,  
Hill,  
Hubley,  
Leib,  
M'Mullin,  
Raguet,  
Willett.

15.

So it was determined in the negative, and the section as amended was then agreed to.

The remaining section, the preamble and title were then severally considered and agreed to; and

Ordered, That said bill be prepared for a third reading.

A motion was made by Mr. Markley and Mr. Grosh,

To postpone the orders of the day, for the purpose of proceeding to the consideration of the bill entitled

"An act to alter and amend the Fee-Bill."

Which was not agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cochran in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Jefferson and Washington Colleges."

And after some time,

The committee rose and reported said bill with amendments, which were read.

The clerk of the House of Representatives being introduced, presented for concurrence, seven bills entitled as follow, viz:

"An act to erect the town of Lebanon, in the county of Lebanon, into a borough."

"An act to annul the marriage of William M'Keen, and Issabella his wife."

"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Middletown."

"An act to change the name of Brainerd Prince to David Brainerd Prince."

"An act for the relief of the public school of Germantown, in the county of Philadelphia."

"An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve."

The bills presented for concurrence, were severally read the first time.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill entitled

"An act for the relief of Eve Lorentz, the widow of an old soldier."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill entitled

"An act authorising the officers of the land office to issue a patent to Harvey Jones, of Warren county."

And after some time,

The committee rose, and reported said bill with one amendment, which was read.

Adjourned until 10 o'clock to-morrow morning.

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## WEDNESDAY, February 7, 1821.

Mr. M'Meens presented a petition from sundry inhabitants of Lycoming county, stating that there are in said county large bodies of unseated land, from which, certain persons have been in the habit of carrying off timber in great quantities, to the great injury of the owners, and praying that a law may be passed to remedy the evil complained of; and,

Said petition was read, and referred to Mr. M'Meens, Mr. Grosh and Mr. Hurst.

Mr. Alter presented a remonstrance from sundry inhabitants of Perry county, against the removal of the place of holding the courts of said county, from Landisburg to Millerstown; and

The same was read, and referred to the committee appointed on the same subject on the 24th of January last.

Mr. Hill, from the committee to whom was committed, on the 5th instant, the bill from the House of Representatives, entitled

"An act for the relief of the heirs of James Moore, deceased, and for other purposes;" reported said bill with amendments, which were read.

Mr. Feger, from the committee to whom was referred, on the 3d instant, the petition of Sarah Messer, on leave given, reported a bill entitled

"An act to annul the marriage of John Messer, and Sarah his wife;" which was read the first time.

Mr. Alter, from the committee to whom was referred on the 3d instant, a petition from sundry inhabitants of Cumberland county, on leave given, reported a bill entitled

"An act regulating fences in the counties of Cumberland and Perry;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to authorise the Governor to contract with John Bio-  
ren, for printing the sixth volume of the Laws of this Common-  
wealth;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act to incorporate and endow the Pennsylvania Institu-  
tion for the Deaf and Dumb;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act for the relief of Jefferson and Washington Colle-  
ges;" was read the second time as reported by a committee of  
the whole yesterday.

Section one being under consideration,



A motion was made by Mr. M'Meens and Mr. Wallace,  
To amend the same, by adding to the end thereof the word  
"one," which was not agreed to, and the section was then agreed  
to.

Section two having been considered.

On the question,  
Will the Senate agree to the same?

The yeas and nays were required by Mr. Leib and Mr.  
Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cochran, Coleman, Conyngham, Davidson, Dickerson, Grosh, Hill,	Messrs. Hubley, Hurst, Markley, M'Mullin, Piper, Power, Raguet, Sawyer,
	16
NAYS.	NAYS.
Messrs. Allshouse, Alter, Eichelberger, Eyster, Feger, Fry, Leib,	Messrs. M'Meens, Smith, Wallace, Willett, Winter, Marks, Speaker.
	13.

So it was determined in the affirmative.

Section three having been considered.

On the question,  
Will the Senate agree to the same?

The yeas and nays were required by Mr. Markley and Mr.  
Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cochran, Coleman, Conyngham,	Messrs. Dickerson, Eichelberger, Eyster, Fry, Grosh,

YEAS.	YEAS.
Messrs. Hill, Hubley, Hurst, Markley, M'Meena, M'Mullin, Piper,	Messrs. Power, Raguet, Sawyer, Smith, Wallace, Willetts Marks, Speaker, 24

NAYS.	NAYS.
Messrs. Allshouse, Davidson, Feger,	Messrs. Leib, Winter, 5

So it was determined in the affirmative.

The title was agreed to, after being amended by striking therefrom the word "and," and by inserting after the word "Washington," the words "and Allegheny."

Ordered, That said bill be prepared for a third reading.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and directed the Secretary, to return them to the Houses in which they respectively originated, viz:

"A further supplement to an act entitled "An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned," passed the thirty-first of March, one thousand seven hundred and ninety-two."

"An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased."

"A supplement to the act entitled "An act for incorporating the German Lutheran Congregation, in and near the borough of Lancaster, in the state of Pennsylvania."

JOSEPH HIESTER.

Harrisburg, February 5, 1821.

Ordered, To lie on the table.

The clerk of the House of Representatives being introduced, presented for concurrence, a bill entitled

"An act to ratify and confirm acts and proceedings of the stockholders of the Washington Bank, and for other purposes;" which was read the first time.

He returned the bills, entitled as follows, viz:

"An act to annul the marriage of John Erb, and Catharine his wife."

"A further supplement to an act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

And informed, that the House of Representatives have passed said bills, the former without, and the latter with amendments, in which the concurrence of the Senate is requested.

He further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz:

"An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb."

"An act to authorise the Governor to contract with John Bio-ren for printing the sixth volume of the Laws of this Commonwealth."

On motion,

The amendments by the House of Representatives, to the bill entitled

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes;" read this morning, were again read; and

The first amendment, was considered and non-concurred in.

The remaining amendments were severally considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

The bill entitled

"An act for the relief of Eve Lorentz, the widow of an old soldier;" was read the second time, as reported by a committee of the whole yesterday.

Section one having been considered.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Davidson and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Conyngham, Feger, Fry, Hill, Hubley,	Messrs. Hurst, M'Meens, Piper, Power, Willett, Winter,
	12
NAYS.	NAYS.
Messrs. Alter, Breck, Cochran, Coleman, Davidson, Dickerson, Eichelberger, Eyster, Grosh,	Messrs. Leib, Markley, M'Mullin, Raguet, Sawyer, Smith, Wallace, Marks, speaker,
	17

So it was determined in the negative, and the bill lost.

The bill entitled

"An act authorising the officers of the the Land-Office, to issue a patent to Hervey Jones, of Warren county;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The speaker laid before the Senate a letter from the Auditor-General, together with the documents therein referred to, which were read as follows, to wit:

*Auditor General's Office, 7th Feb. 1821.*

SIR,

The enclosed copy of the report of the president and managers of the York and Gettysburg turnpike road, received the 5th instant—also, the report of the Stoystown and Greensburg turnpike road, received yesterday, are respectfully submitted to the Senate, in conformity with the forty-sixth section of the act of the twenty-fourth March, 1817, entitled "An act making appropriations for internal improvement."

Very respectfully, sir,

Your most obedient servant,

GEO. BRYAN.

*The honorable speaker of the }  
Senate of Pennsylvania. }*

February 1, 1821.

*George Bryan, Esq. Auditor-General.*

SIR,

The board of managers of the York and Gettysburg turnpike road, beg leave to submit the following statement of the said road and the account relative thereto, viz:

They report, that the whole road from York to Gettysburg, is finished, and has been in operation upwards of one year, being nearly twenty-nine miles in length.

That the stock subscribed by individuals, as per former statement, is

	\$66,300 00
Ditto, on behalf of the Commonwealth,	30,000 00
	<hr/> \$96,300 00

That the contracts for making the road, amounts to

	\$97,850 00
Ditto, for bridges,	5,500 00
Ditto, for gravelling the road, (not exactly ascertained	3,450 00
Ditto, for two toll-houses now built, and five gates,	920 00

The expenses of commissioners and managers, including surveying, grading, &c. from the commencement, till the ninth June last, (1820,)	602 00
--	--------

To pay to treasurer and assistant treasurer, for collecting and paying out monies, each \$50,	700 00
---	--------

For two superintendants, each \$399, (up to 9th June last,	798 00
--	--------

To secretary, for his services from the commencement till the 9th June last,	125 00
--	--------

To 28 miles' stones, at \$1 50,	126 00
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110,071 00

Amount of subscriptions brought over,	96,000 00
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Deduct for actual losses and doubtful,	5,000 00
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91,000 00

Deficiency      \$19,071 00

The amount of tolls received, up to the first January, 1821, is about

2,400 00

From which, deduct for toll-gatherers,

650 00

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Balance of toll      \$1,750 00

This balance of toll has been applied to the payment of the gravelling of the road, agreeably to contract, which will reduce the above deficiency this sum, 1,750 00

Leaving the absolute deficiency \$17,321 00

For which deficiency of \$17,321 00 the company has no funds to meet.

The above statement is respectfully submitted.

By order of the board of managers,

ALEXANDER COBEAN, *President.*

Correctly copied,

GEO. BRYAN, *A. G.*

General statement of the receipts and expenditures of the Stoystown and Greensburg Turnpike Road Company, from the 22d day of December, 1819, to the 14th day of November, 1820.

Amount received, stockholders since last statement,	\$475 00
Interest received from ditto,	58 43
Tolls received from gate-keepers,	4,969 30½

\$5,502 73½

Cash paid for repairing road,	\$1,439 05
paid managers, wages for 1819, in part,	134 00
paid on old contracts for making road,	3,704 68½
paid rent for gate-house at Stoystown,	25 00
Treasurer's pay,	200 00

\$5,502 73½

The foregoing is a correct statement of the monies received, and paid out by the treasurer during the present year. Very considerable sums have been paid by gate-keepers on account of orders, for repairs; but, as the orders are not yet paid off, they have not come into the treasurer's hands, and are therefore not included in the above statement. There is also due to the company, from stage-owners, \$1,100. Against this demand, Mr. Harbach, one of the stage-owners, has a set off, probably to the whole amount; but, owing to some of his vouchers not being properly authenticated, the treasurer has not been able to settle his accounts, which sum is also not included. These two circumstances increase the toll, actually received, between two and three thousand dollars.

All which is respectfully submitted.

By order of the board, November 14th, 1820.

R. COULTER, *President.*

Attest—THOS. POLLOCK, *Treasurer.*

Correctly copied,

GEO. BRYAN, *A. G.*

Ordered, To lie on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

“A supplement to the act entitled “An act for the promotion of agriculture and domestic manufactures.”

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eyster in the chair, on the bill, entitled

“An act to increase the salaries of the associate judges of the Court of Common Pleas of the city and county of Philadelphia.”

And after some time,

The committee rose and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill entitled

“An act more effectually to restrain gunners and for other purposes.”

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

A motion was made by Mr. Eichelberger and Mr. Grosh,

That when the Senate adjourns, it will adjourn to meet this afternoon at 3 o'clock, for the purpose of proceeding to the consideration of the bill from the House of Representatives, entitled

“An act to alter and amend the Fee-Bill.”

Whereupon,

A motion was made by Mr. Piper and Mr. Dickerson,

That the Senate now adjourn; and

On the question,  
Will the Senate adjourn?

The yeas and nays were required by Mr. Grosh and Mr. Davidson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Breck, Cochran, Coleman, Dickerson, Feger, Fry, Hurst, Leib,	Messrs. Markley, M'Meens, M'Mullin, Piper, Power, Ragnet, Smith, Willett,
	17
NAYS.	NAYS.
Messrs. Alter, Conyngham, Davidson, Eichelberger, Eyster, Grosh,	Messrs. Hill, Hubley, Sawyer, Wallace, Marks, speaker.
	11

So it was determined in the affirmative; and  
The Senate adjourned until 10 o'clock to-morrow morning.

THURSDAY, February 8, 1821.

Mr. Alter presented a petition from the commissioners appointed for the purpose, of removing obstructions from Shearman's Creek, in the county of Perry, praying that the time for settling their accounts may be extended; and

The same was read, and referred to Mr. Alter, Mr. Allshouse and Mr. Wallace.



Mr. Cochran presented a remonstrance from sundry inhabitants of Vincent Coventry and East-Nantmill townships, in Chester county, against any alteration in the Pughtown election district in said county; and

The same was read and laid on the table.

On motion of Mr. Grosh and Mr. Markley,

Ordered, That the committee appointed on the 4th ult. to enquire into the expediency of renewing any or all of the charters of the banks incorporated by law, as they shall severally expire, be added to the committee on banks.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the Governor for his approbation, the bills entitled as follows, to wit:

"An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb."

"An act to annul the marriage of John Erb, and Catharine his wife."

"An act to authorise the Governor to contract with John Bieren, for printing the sixth volume of the Laws of this Commonwealth."

Ordered, To lie on the table.

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"A supplement to an act entitled 'An act to provide for the erection of an additional Court within the city and county of Lancaster;' which was read the first time.

Mr. Breck, from the committee on roads, bridges and inland navigation, reported a bill entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county;" which was read the first time.

Mr. Cochran, from the committee to whom was referred, on the 24th ult. a petition from sundry inhabitants of Perry county, on leave given, reported a bill entitled

"A supplement to the act entitled 'An act erecting part of Cumberland county, into a separate county, to be called Perry;' which was read the first time.

The bill from the House of Representatives, entitled

"An act for the relief of Jefferson and Washington Colleges;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Eichelberger and Mr. Fry, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cochran, Coleman, Conyngham, Dickerson, Hill, Hubley, Hurst,	Messrs. Markley, M'Mullin, Piper, Power, Raguet, Sawyer, Wallace, Marks, speaker,
	17
NAYS.	NAYS.
Messrs. Allshouse, Davidson, Eichelberger, Fry, Grosh,	Messrs. Leib, Smith, Willett, Winter,
	9

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill entitled  
"An act authorising the officers of the Land-Office to issue a patent to Harvey Jones, of Warren county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill entitled  
"A supplement to the act entitled "An act for the promotion of Agriculture and Domestic Manufactures;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled

"An act to increase the salaries of the associate judges of the Court of Common Pleas, of the city and county of Philadelphia;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Mr. Cochran read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act for the relief of persons holding lands mortgaged to the commonwealth;" which was read the first time.

On motion of Mr. Davidson and Mr. Hurst,

The Senate again resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"A supplement to 'An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned,' passed the twenty-second day of March, one thousand eight hundred and twenty."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Hubley and Mr. Coleman,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

"An act for the relief of the heirs of James Mooré, deceased, and for other purposes;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Grosh and Mr. Eichelberger,

Ordered, That when the Senate adjourns, it will adjourn until half-past three o'clock this afternoon.

A motion was made by Mr. Eichelberger and Mr. Markley,

To postpone the consideration of the orders of the day, for the present, for the purpose of proceeding to the consideration of the bill from the House of Representatives, entitled

**"An act to alter and amend the Fee-Bill."**

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Markley and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck, Cochran, Coleman, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Fry, Grosh, Hill,	Messrs. Hubley, Hurst, Markley, M'Meens, M'Mullin, Piper, Power, Sawyer, Wallace, Willett, Winter, Marks, speaker,
25	
NAYS.	NAYS.
Messrs. Leib, Raguet,	Messrs. Smith,
	3

So it was determined in the affirmative.

Whereupon,  
The Senate resolved itself into a committee of the whole, on said bill, Mr. Dickerson in the chair.

And after some time,  
The committee rose, reported progress, and obtained leave to sit again this afternoon.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts, and desired the Secretary of the Commonwealth, to return them to the Houses in which they originated.

"An act to annul the marriage of John Erb, and Catharine his wife."

"An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb."

"An act to authorise the Governor to contract with John Boren for printing the sixth volume of the Laws of this Commonwealth."

JOSEPH HIESTER.

*Harrisburg, February 8, 1821.*

Ordered, To lie on the table.

The clerk of the House of Representatives being introduced, presented for concurrence, two bills entitled as follow, viz:

"An act authorising the Corporation of the borough of Harrisburg to supply the said borough with water out of the river Susquehanna and for other purposes."

"An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north-east end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin."

He returned the bill entitled

"An act to annul the marriage contract of James Allen and Jane his wife."

And informed, that the House of Representatives have passed said bill without amendment.

He further informed, that the House of Representatives have receded from their amendments non-concurred in by Senate, to the bill entitled

"A further supplement to an act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

The bills presented for concurrence, were severally read the first time.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, stating, that he has this day transmitted to the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of James Gordon, a justice of the peace of Washington county; and

The same was read and laid on the table.

Adjourned until half-past three o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled

“An act to alter and amend the Fee-Bill.”

And after some time,

The committee rose and reported said bill with amendments, which were read.

Adjourned until 10 o'clock to-morrow morning.

**FRIDAY, February 9, 1824.**

Mr. Markley presented a petition from sundry inhabitants of this commonwealth, praying for the repeal of the laws which prohibit the imprisonment of Insolvent Debtors; and

The same was read and laid on the table.

Mr. Cochran presented a petition, similar in import to the foregoing; and

The same was read and laid on the table.

Mr. Barnard presented a similar petition; which was read and laid on the table.

Mr. Cochran presented two petitions of similar tenor, praying that the Courts for Perry county may be held at Millers-town, until the public buildings shall be erected; and

The same were read and laid on the table.

Mr. Grosh, from the committee on Banks, to whom was committed, on the 5th instant, the bill from the House of Representatives, entitled

**"An act to extend the Charter of the Philadelphia Bank."** reported said bill with amendments, which were read.

The bill entitled

**"A supplement to the act entitled "An act for the promotion of Agriculture and Domestic Manufactures;"** was read the third time; and

**Resolved, That it pass;**

The bill entitled

**"An act to increase the salaries of the Associate Judges of the Court of Common Pleas of the city and county of Philadelphia;"** was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk present said bills to the House of Representatives for concurrence.**

The bill from the House of Representatives, entitled

**"A supplement to "An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned, passed the twenty-second day of March, one thousand eight hundred and twenty;"** was read the third time; and

**Resolved, That it pass.**

The bill from the House of Representatives, entitled

**"An act for the relief of the heirs of James Moore, deceased, and for other purposes;"** was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.**

Mr. Davidson read a bill in his place, and on leave given, presented the same to the chair, entitled

**"An act taxing certain Offices;"** which was read the first time.

On motion of Mr. Fry and Mr. Markley,

The letter and documents of Charles L. Hutter, read on the 5th instant, were again read and referred to Mr. Fry, Mr. Cunningham and Mr. Markley.

The bill from the House of Representatives, entitled

**"An act to alter and amend the Fee-Bill;"** was read the second time, as reported by a committee of the whole yesterday.

Sections one and two were severally considered and agreed to.

Section three being under consideration:

A motion was made by Mr. Leib and Mr. Power,

To amend the same, by striking from the end thereof the following words, to wit:

"Provided that the Sheriff of the city and county of Philadelphia shall receive one fourth less than the fees designated in the foregoing section, including poundage."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Hill and Mr. Willett, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Cochran,  
Conyngham,  
Davidson,  
Dickerson,  
Eichelberger,  
Feger,  
Fry,  
Hill,

## YEAS.

Messrs. Hubley,  
Leib,  
Markley,  
M'Meens,  
Piper,  
Power,  
Smith,  
Wallace,  
Willett.

19.

## NAYS.

Messrs. Barnard,  
Breck  
Eyster,  
Grosh,  
Hurst,

## NAYS.

Messrs. M'Mullin,  
Raguet,  
Sawyer,  
Winter,  
Marks, Speaker. 10

So it was determined in the affirmative, and the section as amended was then agreed to.

Sections four and five were severally considered and agreed to.

Section six being under consideration:

A motion was made by Mr. Markley and Mr. Smith,

To amend the same, by striking from the end thereof the words:

"Provided, That the Prothonotary of the District Court, for the city and county of Philadelphia, shall receive one fourth less than the fees contained in the foregoing section."



On the question,  
Will the Senate agree so to amend?  
The yeas and nays were required by Mr. Breck and Mr. Raguet, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Cochran, Conyngham, Davidson, Dickerson, Eichelberger, Feger, Fry, Grosh,	Messrs. Hill, Leib, Markley, M'Meena, Piper, Power, Smith, Wallace, Willett, Winter,
NAYS.	NAYS.
Messrs. Barnard, Breck, Eyster, Hubley, Hurst,	Messrs. M'Mullin, Raguet, Sawyer, Marks, Speaker.

20

9.

So it was determined in the affirmative, and the section as amended was then agreed to.

Section seven was considered and agreed to.

Section eight being under consideration:

A motion was made by Mr. Markley and Mr. Grosh,  
To amend the same, by inserting between lines twelve and thirteen, the following words, to wit:

"On each share, when accepted at the valuation, the further sum of one dollar."

On the question,  
Will the Senate agree so to amend?

A motion was made by Mr. Leib and Mr. Smith,  
To postpone the further consideration of said question and bill, for the present.

On the question,  
Will the Senate agree so to postpone?  
The yeas and nays were required by Mr. Grosh and Mr. Leib, and are as follow, to wit:

YEAS.	YEAS.	
Messrs. Allshouse, Barnard, Breck, Cochran, Conyngham, Dickerson, Fry,	Messrs. Hill. Leib, Piper, Power, Smith, Winter,	15
NAYS.	NAYS.	16
Messrs. Alter, Davidson, Eichelberger, Eyster, Feger, Grosh, Hubley, Hurst,	Messrs. Markley, M'Meens, M'Mullin, Raguet, Sawyer, Wallace, Willet Marks, Speaker,	

So it was determined in the negative.

A motion was then made by Mr. Grosh and Mr. Davidson,  
To postpone the further consideration of said question and  
section, for the present, which was agreed to.

Section nine was considered and agreed to.

Section ten being under consideration:

A motion was made by Mr. Leib and Mr. Grosh,

To amend the same, by striking out the following words, to  
wit:

"Each alderman, for each day's attendance at the Mayor's  
Court, in the city of Philadelphia, to be paid by the county, and  
no bench fees shall be charged against the county."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Breck and Mr. Cochran,

To postpone the further consideration of said question, to-  
gether with the section and bill, for the present, which was a-  
greed to.

The clerk of the House of Representatives being introduced,  
presented for concurrence, two bills entitled as follow, viz.

"An act for the relief of sundry Soldiers of the revolutionary  
war"

"A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, eighteen hundred and twelve."

He informed, that the House of Representatives have concurred in the amendments by Senate, to the bill entitled "An act for the relief of Jefferson and Washington Colleges."

The bills presented for concurrence were severally read the first time.

On motion of Mr. Grosh and Mr. Davidson,

The Senate adjourned until 3 o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Grosh and Mr. Conyngham,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act to alter and amend the Fee-Bill;" postponed for the present this morning.

The question on the amendment then proposed to section ten recurring, was determined in the negative, and the section was then agreed to.

Sections eleven, twelve, thirteen and fourteen, were severally considered and agreed to.

Section fifteen being under consideration:

A motion was made by Mr. Barnard and Mr. Willett,

To postpone the further consideration of the same for the present, for the purpose of introducing a new section, in the following words, to wit:

"Section 15. And be it further enacted by the authority aforesaid, That the Secretary of the Commonwealth shall receive for the use of the said Commonwealth:

For every commission to a President Judge,	\$10
to every other Judge,	5
to a Justice of the Peace,	25
to a Sheriff,	10

to the Auditor-General and Land Officers, each, 40  
 to a Prothonotary, Clerk of Oyer and Terminer, of Quarter Sessions & Orphan's Court, Register of Wills and Recorder of Deeds, each, 5  
 to every Auctioneer, 100

And that so much of the act of the 28th of March, eighteen hundred and fourteen, establishing a fee-bill, as is inconsistent with the provisions of this section, be, and the same is hereby repealed."

On the question,

Will the Senate agree so to postpone?

It was determined in the affirmative.

A motion was then made by Mr. M'Meens and Mr. Hurst,

To amend said section by striking out the article "a" before the words "President Judges," and by inserting in lieu thereof the words "the Judges of the Supreme Court and of the District Courts, and," and by striking out "ten dollars" and inserting "twenty-five dollars," and by striking out after the words "every other Judge five dollars," and inserting "ten dollars," and by inserting after the words "Justice of the Peace," the words "and Alderman," and by striking out "twenty-five dollars" and inserting "ten dollars," and by inserting after the words "Recorder of Deeds," the words "and Clerks of the Mayor's Courts."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Hubley and Mr. Raguet,

Further to amend said section, by adding after "100," these words "from each Student at Law, admitted to practice at the bar \$100," which was not agreed to.

A motion was then made by Mr. Breck and Mr. Grosh,

Further to amend said section by striking out "\$100," after the word "Auctioneer," and by inserting in lieu thereof "\$2 50," which was not agreed to.

A motion then made by Mr. Breck and Mr. Grosh,

To strike out "\$100," and to insert "\$5," which was not agreed to.

A motion was then made by Mr. Breck and Mr. Grosh,

To strike out "\$100," and to insert "\$20," which was not agreed to.

A motion was then made by Mr. Breck and Mr. Power,  
To strike out "\$100," and insert "\$30," which was agreed  
to; and

On the question,  
Will the Senate agree to said section?

The yeas and nays were required by Mr. Barnard and Mr.  
M'Meens, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Eichelberger, Eyster, Feger, Fry, Hubley, Hurst,	Messrs. Markley, M'Meens, Piper, Power, Raguet, Sawyer, Wallace, Willett, Winter, Marks, speaker, 20
NAYS.	NAYS.
Messrs. Breck, Cochran, Davidson, Grosh,	Messrs. Hill, M'Mullin, Smith, 7

So it was determined in the affirmative.

Section fifteen, now sixteen, recurring:

A motion was made by Mr. Hubley and Mr. Feger,

Further to postpone the consideration of the same for the  
present, for the purpose of introducing a new section in the  
following words, to wit:

"Section 16. And be it further enacted by the authority afore-  
said, That if any person shall have paid to any officer aforesaid,  
any costs to which he was not entitled, or greater fees than  
are expressly provided for by any act of assembly, such person  
may recover from such officer double the amount of such costs,  
or of such excess with costs of suit, as other demands are by  
law recoverable, and may sue by action on the case, or declare  
in assumpsit for money had and received or by action of debt.  
And if the judges of any court within this commonwealth shall  
allow any officer, under any pretence whatever, any costs under  
the denomination of compensatory costs for any services not

specified in some act of assembly, it shall be considered a ~~misdemeanor~~ <sup>disseminator</sup> in office."

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Hubley and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Breck, Cochran, Conyngham, Feger,	Messrs. Hubley, Hurst, Power, Sawyer.
	9
NAYS.	NAYS.
Messrs. Allshouse, Alter, Davidson, Eichelberger, Eyster, Fry, Grosh, Hill, Markley,	Messrs. M'Meens, M'Mullin, Raguet, Smith, Wallace, Willetts, Winter, Marks, speaker.
	17

So it was determined in the negative.

Section now sixteen recurring, and being under consideration:

A motion was made by Mr. Grosh and Mr. Davidson,

To amend the same, by striking therefrom the following words, to wit:

"Provided, That it shall be lawful for the recorder of deeds and register of wills, to receive the fees for recording the same at the time the deed or deeds, will or wills are left at his office for recording, any law or usage to the contrary notwithstanding.

On the question,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. Grosh and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Davidson, Eichelberger, Fry, Grosh, Hill, Hurst,	Messrs. Markley, M'Veens, M'Mullin, Willett, Winter,
	11
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Breck, Cochran, Conyngham, Eyster, Feger,	Messrs. Hubley, Power, Raguet, Sawyer, Smith, Wallace, Marks, speaker,
	15

So it was determined in the negative.

A motion was then made by Mr. Hubley and Mr. Raguet,  
To amend said section, by inserting before the word "Provided" the following words, to wit:

"Provided, That no action shall be sustained by virtue thereof, or by virtue of the fourteenth section of this act, unless the same shall be brought within six months after the cause of action shall have occurred, and."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

Sections now seventeen and eighteen, were severally considered and agreed to.

Section eight, postponed for the present this morning, recurring.

The amendment thereto, then under consideration, was withdrawn.

A motion was then made by Mr. Markley and Mr. Power,  
To amend said section, by inserting between lines eleven and twelve the following words, to wit:

"For writing and filing bonds, securing the payment of each share, fifty cents; for filing bonds for each share, when not writ-

ten by the clerk of the Orphans' Court, six and a quarter cents," which amendment was agreed to, and the section as amended was then agreed to.

The title being agreed to,  
Ordered, That said bill be prepared for a third reading.  
Adjourned until 10 o'clock to-morrow morning.

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### **SATURDAY, February 10, 1821.**

Mr. Markley obtained leave of absence for a few days.

Mr. Grosh obtained leave of absence until Tuesday next.

Mr. Barnard presented a petition from the Agricultural Society of Chester county, praying that a law may be passed to authorize the commissioners and treasurer of said county to pay over annually, to said society, so much of the money arising from the tax on dogs as shall not be necessary to discharge the other claims on the said fund; and

The same was read and referred to the committee on agriculture and domestic manufactures.

Mr. Eyster presented a petition from sundry inhabitants of Adams county, praying for the passage of a law to authorize the establishment of a Loan-Office; and

The same was read and laid on the table.

Mr. Barnard presented two remonstrances of similar tenor from sundry inhabitants of Chester county, against the passage of a law to divide the Pughtown election district; and

The same were read and laid on the table.

Mr. Barnard also presented a petition from sundry inhabitants of Birmingham and Thornbury townships, praying that the parts of said townships now in Delaware county, may be re-annexed to the county of Chester; and

The same was read, and referred to Mr. Barnard, Mr. Breck and Mr. Eichelberger.



Mr. Barnard also presented a remonstrance from sundry inhabitants of Thornbury township against the prayer contained in the last named petition; and

The same was read, and referred to the same committee.

Mr. Barnard also presented a petition from sundry inhabitants of Charlestown and Pikeland townships, in Chester county, praying that said townships may be erected into a separate election district; and

The same was read and laid on the table.

Mr. Barnard presented a petition from the trustees of the Chester county Academy, praying that pecuniary aid may be granted to said institution, and also alterations in their charter of incorporation; and

The same was read, and referred to Mr. Barnard, Mr. Breck and Mr. Eyster.

Mr. Barnard also presented a petition and documents from John D. Perkins, praying that he may be authorised by law to make a good and sufficient title to a certain tract of land; and

Said petition was read, and with the documents referred to Mr. Barnard, Mr. Grosh and Mr. Winter.

Mr. Barnard also presented a petition from sundry volunteer companies in the counties of Chester and Delaware, praying that a law may be passed to enable them to form the said companies into a Legion, for military purposes; and

The same was read and referred to the committee on the militia system.

Mr. M'Meens, from the committee to whom was referred, on the 7th instant, a petition from sundry inhabitants of Lycoming county, on leave given, reported a bill entitled

"An act to prevent the cutting of Timber;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to alter and amend the Fee-Bill;" was read the third time; and

On the question,  
Shall this bill pass?

A motion was made by Mr. Davidson and Mr. Leib,  
That the Senate resolve itself into a committee of the whole for the purpose of striking out the fifteenth section.

On the question,  
Will the Senate agree to go into a committee of the whole for the purpose aforesaid?

The yeas and nays were required by Mr. Conyngham and Mr. Wallace, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck, Cochran, Davidson, Dickerson, Eichelberger, Eyster,	Messrs. Feger, Grosh, Hill, Hubley, Leib, Markley, M'Mullin, Marks, speaker, 16
NAYS.	NAYS.
Messrs. Barnard, Conyngham, Fry, Hurst, M'Meens, Piper, Power,	Messrs. Raguet, Sawyer, Smith, Wallace, Willett, Winter, 18

So it was determined in the affirmative.

Whereupon,

The Senate resolved itself into a committee of the whole, upon said bill, Mr. Dickerson in the chair.

And after some time,

The committee rose and reported the bill so amended.

On the question,

Will the Senate agree to the report of the committee of the whole?

The yeas and nays were required by Mr. Raguet and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck, Cochran, Davidson, Dickerson, Eichelberger, Eyster,	Messrs. Feger, Grosh, Hill, Hubley, Leib, Markley, M'Mullin, Marks, Speaker. 16

## NAYS.

Messrs. Barnard,  
Conyngham,  
Fry,  
Hurst,  
M'Meens,  
Piper,  
Power,

## NAYS.

Messrs. Raguet,  
Sawyer,  
Smith,  
Wallace,  
Willett,  
Winter,

15.

So it was determined in the affirmative.

The question recurring,  
Shall this bill pass?

The yeas and nays were required by Mr. Piper and Mr. Power, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Breck,  
Cochran,  
Conyngham,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,  
Feger,  
Fry,  
Grosh,  
Hill,  
Hubley,

## YEAS.

Messrs. Hurst,  
Leib,  
Markley,  
M'Meens,  
M'Mullip,  
Piper,  
Power,  
Raguet,  
Sawyer,  
Smith,  
Wallace,  
Willett,  
Winter,  
Marks, speaker,

29

NAYS.—None.

So it was unanimously determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill entitled

"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia."

And after some time,  
The committee rose, and reported said bill with amendments,  
which were read.

Adjourned until 10 o'clock on Monday morning.

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**MONDAY, February 12, 1821.**

Mr. Leib presented a petition from sundry inhabitants of the county of Philadelphia, praying that measures may be adopted to effect a Canal Navigation between the rivers Susquehanna and Schuylkill; and

The same was read and laid on the table.

Mr. Raguet, from the committee appointed on the 22d of January last, "To enquire into the expediency of reducing the charges of inspection on flour, bark, beef, pork, shad, herring, butter, lard, whiskey, gun-powder, staves, heading, shingles, boards, plank and timber within the city and county of Philadelphia," made report, which was read as follows, to wit:

Your committee having been appointed under a resolution offered by an individual member, and not in consequence of the presentation of petitions, deemed it incumbent on them to use every exertion to obtain the information necessary to enable them to form a correct opinion, in relation to the objects to which their enquiries were to be directed. They accordingly addressed circular letters to upwards of *one hundred* of the most respectable merchants, grocers, factors, venders of domestic produce, and dealers in lumber, in the port of Philadelphia, inviting them to furnish the committee with their views as to whether any, and if any, what reduction was advisable in the charges of inspection now imposed by law upon the several articles above enumerated. The answers which have been received, have exhibited not only an astonishing uniformity as to the necessity and rates of reduction, but have presented a mass of interesting information highly honorable to the commercial character of Philadelphia, and well calculated to remove all difficulty as to the

course which your committee ought to recommend for the adoption of the legislature. In addition to this source of intelligence, your committee have been aided by the exertions of the Chamber of Commerce, and of a public meeting of merchants, traders and others interested, convened in Philadelphia, for the purpose of collecting the desired information. From both these bodies, communications have been received, corresponding with each other in almost every particular, and differing in but a few unimportant instances, from the bulk of the letters first mentioned. The result has been a conviction on the minds of your committee, that a reduction of the charges of inspection on all the articles enumerated, some of which were established or raised during the late depreciation of money, is absolutely called for by the languishing commerce of our state, and a bill drawn in conformity with the views of those who have been consulted on the subject, has been prepared.

In the course of their correspondence and their investigation of the various inspection and other commercial laws of the state, your committee have ascertained, "That great defects and injurious regulations exist, which call for the interference of the legislature." The application of a remedy for most of these evils however, owing to the advanced stage of the session, which precludes the possibility of a thorough reformation, must be left for a future legislature; but there are, nevertheless, a few of some considerable urgency, which may be acted on at this time; and your committee, although not instructed to that effect, have considered them to be within the spirit of the resolution under which they act, and have accordingly provided for them in their bill.

Your committee deem it unnecessary to attempt to prove to the Senate, that in the removal of all useless and oppressive burthens from the commerce of the state, the agriculture of the commonwealth is essentially interested. It is sufficient to say, that the constitution of the United States declares, that "No state shall, without the consent of congress, lay any imposts or duties, on imports or exports, except what may be *absolutely necessary* for executing its inspection laws," and that in establishing the new rates recommended, a regard has been had to a suitable and adequate compensation for the officers concerned.

Having discharged the duties assigned them, your committee recommend to the Senate the adoption of the following resolution:

Resolved. That the committee be authorised to report a bill embracing the provisions herein contained, and that they be discharged from any further consideration of the subject.

On motion,

Said report was again read, considered and adopted.

Mr. Raguet, from the committee appointed for the purpose, reported a bill entitled

"An act to regulate Inspections;" which was read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased."

And after some time,

The committee rose and reported said bill without amendment

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hubley in the chair, on the bill entitled

"An act to establish throughout the commonwealth, the system of Solitary Confinement as a punishment for convicts."

And after some time,

The committee rose and reported said bill with amendments, which were read.

Adjourned until 10 o'clock to-morrow morning.

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## TUESDAY, February 13, 1821.

Mr. Coleman presented a petition from the society for the encouragement of American Manufactures, praying that certain measures, which they suggest, may be adopted for the encouragement of domestic manufactures; and

The same was read, and referred to the committee on agriculture and domestic manufactures.

Mr. Sawyer presented a petition from the managers of the Downingtown, Ephrata and Harrisburg turnpike road company, praying that they may be authorised to extend said road from Paxton Creek to the bridge over the Susquehanna River, at Harrisburg; and

The same was read and referred to the committee on roads, bridges and inland navigation.

Mr. Alter presented a petition from William Power, stating that in May and June, seventeen hundred and ninety-five, John Nicholson became indebted to him for surveying and pay to chain bearers and marksmen, on executing sixty warrants in his district, as deputy-surveyor, to the amount of six hundred and forty dollars; that said amount has been paid to him by the state, but that interest has been refused thereon, and praying that such relief may be granted to him as shall be deemed just and reasonable; and

Said petition was read, and referred to Mr. Alter, Mr. Coleman and Mr. Smith.

Mr. Conyngham presented a petition from the trustees of the Northumberland Academy, praying that pecuniary aid may be granted to said institution; and

The same was read, and referred to the committee on education.

Mr. Coleman presented a petition from the president, managers and stockholders of the Newholland turnpike road company, in the county of Lancaster, praying that the time for holding elections for the officers and managers of said company may be changed from the first Monday in April to the first Monday in May, annually; and

Said petition was read, and referred to Mr. Coleman, Mr. Feger and Mr. Hurst.

Mr. Winter presented a petition from sundry inhabitants of Lehigh county, praying for the establishment of a Loan-Office; and

The same was read and laid on the table.

Mr. Dickerson, from the committee on claims, to whom was committed on the second of January, the bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers;" reported said bill with amendments, which were read.

Mr. Barnard, from the committee to whom was referred on the eighteenth ult. a petition from sundry inhabitants of Ber-

Birmingham township, in Chester county, on leave given, reported a bill entitled

"An act to authorise certain trustees therein named, to convey a lot of land in Birmingham township, in Chester county;" which was read the first time.

Mr. Hubley, from the committee on the judiciary system, reported a bill entitled

"An act supplementary to an act entitled "An act to raise and collect County Rates and Levies;" which was read the first time.

Mr. Willett obtained leave to withdraw from the files of the present session the petition and documents of Eve Lorentz.

The bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Raguet and Mr. Barnard,

To postpone the further consideration of said section and bill, for the present, which was agreed to.

On motion of Mr. Raguet and Mr. Grosh,

The resolution read on the eleventh of December last, relative to the laws regulating auctions, was again read, and the same being under consideration:

A motion was made by Mr. Leib and Mr. M'Mullin,

To amend the same, by striking out after the word "Resolved," the words "That it is expedient so to amend," and by inserting in lieu thereof the following words, to wit:

"That a committee be appointed to enquire into the expediency of so amending."

And also by striking from the end of the resolution, the words "and that a committee be appointed to bring in a bill in conformity with the said provisions," and by inserting in lieu thereof the words

"Or of increasing the number of auctioneers, and that the committee have leave to report by bill or otherwise."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Davidson and Mr. Eichelberger,



Further to amend the same, by inserting after the word "citizen," the words "of good character," which was agreed to.

On the question,

Will the Senate agree to said resolution as amended?

The yeas and nays were required by Mr. Hurst and Mr. M'Mullin, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Breck, Cochran, Conyngham, Davidson, Eichelberger, Eyster, Fry,	Messrs. Grosh, Hill, Leib, M'Mullin, Raguet, Wallace, Willetts Winter, 16
NAYS.	NAYS.
Messrs. Allshouse, Alter, Dickerson, Hubley, Hurst, M'Meens,	Messrs. Piper, Power, Sawyer, Smith, Marks, Speaker. 11

So it was determined in the affirmative; and

Ordered, That Mr. Raguet, Mr. Davidson, Mr. Barnard, Mr. Hill and Mr. Leib, be a committee for the purpose expressed in said resolution.

Mr. Conyngham read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act to discourage Fraudulent Insolvencies;" which was read the first time.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

"An act to change the name of Brainerd Prince to David Brainerd Prince;" was read the second time.

Section one having been considered.

On the question,

Will the Senate agree to the same?

It was determined in the negative, and the bill lost.

The clerk of the House of Representatives being introduced, returned the bill entitled

"An act authorising Margaret Messinger and Jacob Messinger, executors of Philip Messinger, deceased, to convey real estate therein mentioned."

And informed, that the House of Representatives have passed said bill without amendment.

He also informed, that the House of Representatives have concurred in the amendments by Senate, to the bill entitled

"A supplement to "An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned, passed the twenty-second day of March, one thousand eight hundred and twenty."

He further informed, that the House of Representatives have concurred in the amendments by Senate, to the bill entitled

"An act for the encouragement of raising sheep in Fayette county, and for other purposes;" with amendments thereto, in which the concurrence of the Senate is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leib in the chair, on the bill from the House of Representatives, entitled

"An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill from the House of Representatives, entitled

"An act to erect the town of Lebanon, in the county of Lebanon, into a borough."

And after some time,

The committee rose, and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of the public school of Germantown, in the county of Philadelphia."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

On motion,

The amendments by the House of Representatives, to the amendments by the Senate, to the bill entitled

"An act for the encouragement of raising sheep in Fayette county, and for other purposes;" read this morning, were again read.

The first amendment was considered and concurred in.

The remaining amendments being under consideration:

A motion was made by Mr. Smith and Mr. Power,

To postpone the further consideration of the same for the present, which was agreed to.

On motion of Mr. M'Meens and Mr. Raguet,

The Senate adjourned until 3 o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. M'Meens and Mr. Davidson,

The "Address to the Governor, for the removal from office, of Edmund Russell, a justice of the peace of Bradford county;" read on the twenty-fourth ult. was again read; and

On the question,

Will the Senate adopt the same?

The yeas and nays were required by Mr. M'Meens and Mr. Power, and are as follow, to wit:

#### YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,

#### YEAS.

Messrs. Cochran,  
Coleman,  
Conyngham,

NAYS.	NAYS.
Messrs. Davidson, Eichelberger, Feger, Fry, Grosh, Hurst,	Messrs. M'Meens, Piper, Power, Sawyer, Winter, Marks, Speaker, 18
NAYS.	NAYS.
Messrs. Breck, Hubley, M'Mullin,	Messrs. Raguet, Smith, Willet, 6

So it was determined in the affirmative.

Ordered, That the clerk return said address to the House of Representatives, with information that the Senate have adopted the same without amendment.

On motion of Mr. Barnard and Mr. Cochran,  
The Senate resolved itself into a committee of the whole,  
Mr. M'Mullin in the chair, on the bill entitled

"A supplement to the act entitled "An act to alter the judiciary system of this commonwealth, passed February twenty-fourth, one thousand eight hundred and six."

And after some time,

The committee rose and reported said bill with amendments, which were read.

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Agreeably to order,

The Senate again resolved itself into a committee of the whole,  
Mr. Feger in the chair, on the bill entitled

"An act more effectually to restrain gunners and for other purposes."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole,  
Mr. Piper in the chair, on the bill from the House of Representatives, entitled

**"An act for the relief of Dickinson College."**

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Adjourned until 10 o'clock to-morrow morning.

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**WEDNESDAY, February 14, 1821.**

The speaker laid before the Senate a memorial from John Melish, on the subject of the State Map, together with sundry documents relating thereto; and

The same were read, and referred to the committee appointed on the same subject on the 20th ult.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor for his approbation, the bills entitled as follows, to wit:

**"An act authorising Margaret Messinger and Jacob Messinger, executors of Philip Messinger, deceased, to convey real estate therein mentioned."**

**"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."**

**"An act to annul the marriage contract of James Allen and Jane his wife."**

**"A supplement to "An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned," passed the twenty-second day of March, one thousand eight hundred and twenty."**

**"An act for the relief of Jefferson, Washington and Allegheny Colleges."**

Ordered, To lie on the table.

Mr. Raguet, from the committee to whom was referred, on the sixth instant, the petition of John Kenworthy, on leave given, reported a bill entitled

"An act to confer on John Kenworthy and Mary Kenworthy, the rights and privileges of children born in lawful wedlock;" which was read the first time.

Mr. Alter, from the committee to whom was referred, on the 8th instant, a petition from the commissioners for removing certain obstructions from the navigation of Shearman's Creek, on leave given, reported a bill entitled

"A further supplement to an act entitled 'An act granting a sum of money to aid in removing obstructions out of Shearman's Creek;' which was read the first time.

The bill entitled

"A supplement to the act entitled 'An act to alter the Judiciary System of this commonwealth, passed February twenty-fourth, one thousand eight hundred and six;' was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives, for concurrence.

The bill from the House of Representatives, entitled

"An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"An act to erect the town of Lebanon, in the county of Lebanon, into a borough;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill entitled

"An act more effectually to restrain Gunners and for other purposes;" was read the second time as reported by a committee of the whole yesterday.

Section one was considered and agreed to.

A motion was then made by Mr. Breck and Mr. Cochran,  
To amend said bill, by adding thereto a new section in the  
following words, to wit:

"Section 2. And be it further enacted by the authority afore-  
said, That it shall be lawful for any constable or constables of  
the county of Philadelphia, to apprehend the person or persons  
so offending within the said county, and take him, her or them,  
without a warrant, before the nearest justice of the peace within  
the township or district where the offence may have been com-  
mitted, for the purpose of being dealt with according to the  
provisions of the first section of this act: Provided, That the  
whole amount of the penalty shall be paid to the overseers of  
the poor of the township where the offence has been committed  
for the use of the poor of the said township."

On the question,  
Will the Senate agree so to amend?  
It was determined in the affirmative.

The title being agreed to;  
Ordered, That said bill be transcribed for a third reading.

Mr. Grosh read a bill in his place, and on leave given, pre-  
sented the same to the chair, entitled

"An act extending an act entitled "An act to encourage the  
apprehension of persons who shall have committed the crime  
of Horse-Stealing," to the county of Lancaster;" which was  
read the first time.

On motion of Mr. Piper and Mr. Power,  
The Senate resumed the second reading and consideration  
of the bill from the House of Representatives, entitled  
"An act to erect the town of Berlin, in Somerset county, into  
a borough;" postponed for the present on the twelfth of January  
last.

The title recurring, was considered and agreed to.

Ordered, That said bill be prepared for a third reading.

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Power in the chair, on the bill entitled  
"An act to annul the marriage of Bernard M. Carter, and Lu-  
ey Grymes his wife."

And after some time,  
The committee rose and reported the bill disagreed to.

On the question,  
Will the Senate agree to said report?

It was determined in the affirmative.

The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

"An act to continue an act entitled "An act to incorporate the Farmers' and Mechanics' Bank;" which was read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill from the House of Representatives, entitled

"An act to annul the marriage of William M'Keen, and Isabella his wife."

And after some time,

The committee rose, and reported said bill without amendment.

On motion of Mr. Davidson and Mr. Grosh,

The Senate resumed the second reading and consideration of the amendments by the House of Representatives, to the amendments by the Senate, to the bill entitled

"An act for the encouragement of raising sheep in Fayette county, and for other purposes."

Whereupon,

On motion of Mr. Breck and Mr. Hill,

Ordered, That the clerk inform the House of Representatives that the Senate have concurred in the first amendment to said amendments, but decline receiving the *new* section introduced by the House of Representatives, as an amendment to their amendments.

On motion of Mr. Raguet and Mr. M'Meens,

The Senate adjourned until half-past three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the



west end of the Harrisburg bridge, to the river Juniata, at or near Millerstown."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Dickinson College."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

On motion of Mr. Willett, and Mr. Conyngham,

The Senate again resolved itself into a committee of the whole, Mr. Cochran in the chair, on the bill entitled

"An act to extend the boundaries of Union county."

And after some time,

The committee rose and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Raguet and Mr. M'Meens,

To postpone the further consideration of said question and bill, for the present, which was agreed to.

Adjourned until 10 o'clock to-morrow morning.

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## THURSDAY, February 15, 1821.

Mr. Hubley presented a petition from sundry inhabitants of the counties of Dauphin, Schuylkill and Berks, praying that the Governor may be authorised to appoint viewers to lay out a state road from Gratztown, in Dauphin county, through Pine-

Grove and Rohrerburg, and from thence by the best route to the borough of Reading; and

Said petition was read and laid on the table.

Mr. M'Meens presented a remonstrance from sundry inhabitants of Lycoming county, against altering the time of holding Courts in said county; and

The same was read and laid on the table.

Mr. Leib presented a petition from sundry inhabitants of the Kensington District of the Northern Liberties, praying that the act incorporating the said district may be so amended as to authorise the commissioners of the same to allow a market to be held on Sunday, and that two of the guardians of the poor, appointed for said district, may be selected by the general board of guardians, as managers of the alms-house; and

Said petition was read, and referred to the members from from the city and county of Philadelphia.

Mr. Feger presented a petition from Joseph E. Sorber, praying to be divorced from the bonds of matrimony; and

The same was read, and referred to Mr. Feger, Mr. Wallace and Mr. Willett.

The speaker laid before the Senate a letter from the Auditor-General, together with the documents therein referred to, which were read as follows, to wit:

*Auditor General's Office, 15th Feb. 1821.*

SIR,

The enclosed copy of the report of the president and managers of the Greensburg and Pittsburg turnpike road, received the twelfth instant—also, the report of the president and managers of the New-Holland turnpike road, received yesterday, are respectfully submitted to the Senate, in conformity with the forty-sixth section of the act of the twenty-fourth of March, 1817, entitled "An act making appropriations for internal improvement."

Very respectfully, sir,

Your most obedient servant,

GEO. BRYAN.

*The honorable speaker of the }  
Senate of Pennsylvania. }*

General account of the affairs of the Greensburg and Pittsburg Turnpike Road Company, from the commencement of the corporation until the 31st December, 1820, inclusive.

The treasury of the Greensburg and Pittsburg turnpike road company, in account with said company.

Dr.

To cash received from the commonwealth of Pennsylvania on 1600 shares of stock subscribed to the capital stock of the said company,	\$80,000 00
To cash received on 45 free road shares for Two-mile lane, Pittsburg,	268 00
To cash received on 1,295 shares, subscribed by individuals, to the capital stock of the said company,	61,925 00
To toll received by William Freidt, late treasurer, in his life time, that is, from the 28th February, 1816, until 20th February, 1819, as per his books,	32,652 14
To toll received by the present treasurer, in 1819,	8,519 42
To do. do. 1820,	8,234 48
To cash received by ditto, amount judgment against George Brown,	38 56
To cash received by ditto, on account stock subscribed by individuals,	65 00
To cash received by ditto, premium in exchange of money,	1 25
There is yet due from delinquent stockholders, which will probably never be recovered,	\$ 2,760 00
Deficiency of funds to pay off the debts yet due by the company,	38,700 48
	<hr/> 41,460 48
	<hr/> \$233,164 33

Cr.

By cash paid sundry contractors for making road,	\$145,018 00
By cash paid for building gate-houses,	2,500 00
By cash paid gate-keepers' salary, in the years 1816, 1817 and 1818,	2,205 38
By cash paid to contractors for making road—for road repairs done in 1816-17 and 18—reduction and discount of company's note in bank, and superintendant of road and treasurer's salaries, &c.	27,881 76

*Payments made by the present treasurer, to wit:*

By cash paid discount on the company's note in bank, Pittsburg,	912 03
By cash paid interest on the company's notes,	118 55½
By do. paid for redemption of tickets,	1,011 67
By do. paid for building an addition to gate-house No. 1,	101 00
By do. paid for blank-books for company's and printers' bills,	18 50
By do. paid for repairing gate-house No. 4,	17 00
By do. paid salary to gate-keepers,	2,507 20
By do. paid present treasurer 15 months salary,	500 00
By do. paid William Wilkins, esquire, for legal advice and other services,	400 00
By do. paid on old contracts and for road repairs, in 1819-20,	11,472 75½
There is yet due by the company for making road, &c. for road repairs done in the years 1818-19 and 20,	38,700 48
Besides interest on several claims which cannot now be ascertained.	

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\$233,164 33

By order of the board of managers,

JAMES FLEMMING, *Treasurer.*

Correctly copied,

GEO. BRYAN, *A. G.*

*Earl Township, Lancaster County, Feb. 9th, 1821.*

SIR,

In compliance with your letter of the 26th January, 1821, and conformably to the acts of the general assembly, to which your letter has referred:

The president and managers of the New-Holland turnpike road company do report, That the first section of the said road is completed and a gate erected, which gate yields, say on an average, the year round, about fifty dollars per month, which income is appropriated towards repairing the said section of the road, and paying off the interest on a debt, say of about five thousand dollars, which said institution owes. The second and last section of the said road are more than half made, in detached parts, which, with further appropriations from the commonwealth, could easily be finished, and when completed would soon yield an income to the state. That part of the country through which this road leads justifies a positive belief, that the

road will become productive sooner than any of the roads now soliciting for aid.

All which we submit with the greatest assurance of correctness.

**MICHAEL SHIRK, President.**

**ISAAC ELLMAKER,**

**DAVID HOOVER,**

**PETER MYERS,**

**ABRAHAM BARE.**

**SAMUEL GARBER,**

**JOHN BACHMAN,**

**C. CARPENTER,**

**JACOB DUCHMAN.**

*To George Bryan, Esq. Auditor-General }  
of the Commonwealth of Pennsylvania. }*

Correctly copied,

**GEO. BRYAN, A. C.**

Ordered, To lie on the table.

Mr. Raguet, from the committee appointed for the purpose, on the 13th instant, reported a bill entitled

“An act to authorise the appointment of additional Auctioneers within the city and liberties of Philadelphia;” which was read the first time.

The bill from the House of Representatives, entitled

“An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson’s Creek, passed the twenty-second day of February, one thousand eight hundred and twelve;” was read the third time; and Resolved, That it pass.

The bill from the House of Representatives, entitled

“An act to erect the town of Lebanon, in the county of Lebanon, into a borough;” was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

“An act to erect the town of Berlin, in Somerset county, into a borough;” was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed

the same, the former without and the two latter with amendments, in which the concurrence of that House is requested.

The bill entitled

"An act more effectually to restrain Gunners and for other purposes;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

On motion of Mr. M'Meens and Mr. Willett,

The Senate resumed the consideration of the report of the committee of the whole, disagreeing to the bill entitled

"An act to extend the boundaries of Union County;" postponed for the present yesterday.

The question recurring,

Will the Senate agree to said report?

It was determined in the negative.

The bill from the House of Representatives, entitled

"An act to annul the marriage of William M'Keen and Issabella his wife;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Millerstown;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. Alter,

To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

The bill from the House of Representatives, entitled

"An act for the relief of Dickinson College;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. M'Meens and Mr. Wallace,

To amend the same, by striking from line six, the word "transferred," and by inserting in lieu thereof the word "sold," and by striking from lines 7, 8 and 9, the following words "and

shall assign and set over to this commonwealth all securities for the purchase money which they have taken for such portions of the said lands as they have heretofore sold," and by striking from the end of the section the following proviso: "Provided, That it shall be the duty of the said trustees, (on the said purchase money being paid into the state treasury), at the request of the state treasurer, to make deeds to the purchasers of said lands, pursuant to the contracts heretofore entered into between the respective parties."

On the question,  
Will the Senate agree so to amend?  
It was determined in the negative.

A motion was then made by Mr. M'Meens and Mr. Grosh,  
To amend said section, by striking out all that follows the enacting clause, and by inserting in lieu thereof the following words, to wit:

"That the state-treasurer be, and he is hereby authorised and directed to pay to the trustees of Dickinson College, or order, the sum of one thousand dollars annually, for five years, to commence on the first day of January, one thousand eight hundred and twenty."

On the question,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. M'Meens and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Barnard, Davidson, Eichelberger, Feger, Grosh, Leib,	Messrs. M'Meens, Smith, Wallace, Willett, Winter, Marks, Speaker.
	13.
NAYS.	NAYS.
Messrs. Alter, Breck, Cochran, Coleman, Conyngham, Dickerson, Eyster, Fry,	Messrs. Hill, Hubley, Hurst, M'Mullin, Piper, Power, Raguet, Sawyer,
	16

So it was determined in the negative.

A motion was then made by Mr. M'Meens and Mr. Eichelberger,

To amend said section, by inserting after the word "sold," in line nine, the following words, to wit:

"And shall have filed in the office of the Secretary of the Commonwealth, a written agreement, executed in due form of law, obligating themselves and their successors, under the penalty of twenty thousand dollars, not to apply again to the legislature of this commonwealth for pecuniary aid."

On the question,

Will the Senate agree so to amend?

It was determined in the negative; and

On the question,

Will the Senate agree to the first section?

The yeas and nays were required by Mr. M'Meens and Mr. Alter, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cochran, Coleman, Conyngham, Davidson, Dickerson, Eyster, Hill, Hubley,	Messrs. Hurst, M'Mullin, Piper, Power, Raguet, Sawyer, Smith, Wallace, Willett,
	19.
NAYS.	NAYS.
Messrs. Allshouse, Barnard, Eichelberger, Feger, Fry,	Messrs. Grosh, Leib, M'Meens, Winter, Marks, speaker,
	10

So it was determined in the affirmative.

The remaining sections and title were severally considered and agreed to; and

Ordered, That said bill be prepared for a third reading.



Mr. M'Meens read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act to extend the act entitled "An act for the appraisement of estates taken in execution;" which was read the first time.

Mr. Wallace read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act concerning Partnerships;" which was read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

"An act to repeal part of an act for the recovery of monies due to the commonwealth, from persons holding proprietary titles."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

The clerk of the House of Representatives being introduced, informed

That the House of Representatives have non-concurred in the 1st, 2d, 3d, 4th, 27th, 32d and 36th amendments, and concurred in the residue of the amendments by the Senate, to the bill entitled

"An act to amend the Fee-Bill;" with one amendment thereto, in which the concurrence of the Senate is requested.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill from the House of Representatives, entitled

"An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

The Secretary of the Commonwealth being introduced, presented two messages from the Governor, together with the documents therein referred to, which were read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and desired the Secretary of the Commonwealth to return the same to the Houses in which they originated.

"An act to annul the marriage contract of James Allen, and Jane his wife."

"A supplement to "An act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned, passed the twenty-second day of March, one thousand eight hundred and twenty."

"An act authorising Margaret Messinger and Jacob Messinger, executors of Philip Messinger, deceased, to convey real estate therein mentioned."

"An act for the relief of Jefferson, Washington and Allegheny Colleges."

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

JOSEPH HIESTER.

*Harrisburg, February 15, 1821.*

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have thought it proper to lay before you, a statement of the Erie and Waterford turnpike road, and the circumstances connected with it, believing it to be a subject requiring the interference of the legislature.

The act enabling the Governor to incorporate a company to make that road, was passed on the 13th day of February, 1804. On the 31st of March, 1806, an act was passed authorising and requiring the Governor to subscribe for one hundred shares in the stock of said road, for and on behalf of the commonwealth; and on the 7th day of September, 1808, the president of the board of managers applied by letter, to the Governor, to have commissioners appointed to view the road.

These commissioners reported on the 10th of July, 1809, that the road was finished, as they believed, according to the true intent and meaning of the law.

The Governor refused issuing license to erect toll-gates, in consequence of a remonstrance made by a number of the inhabitants of that county, alleging the road was not finished agreeably to law. The company, notwithstanding the Governor's refusal, did proceed to erect gates, to demand and receive toll, and have continued to do so ever since.

On the 26th day of February, 1811, a letter, covering the petition on which the license was refused, was addressed by the Secretary of the Commonwealth to the Attorney-General, suggesting to him the propriety of taking such measures as he might deem legal and proper to redress the evil complained of. An answer to this letter was received from the Attorney-General, dated April 3d, 1811, mentioning that he had written to Mr. Mountain, pointing out different modes of proceeding, calculated, in his opinion, to effect the object.

On the 28th of March, 1814, an act was passed directing the appointment of commissioners to view the road again. These commissioners made report on the 9th of August following, which was transmitted by message from the Governor, to the general assembly, on the 21st day of December, in the same year. This gave rise to a bill which passed in the House of Representatives, on the 24th of February, 1815, and was negatived in the Senate, on the 9th day of March following. It does not appear that any measures have been taken in relation to the business since that time.

Copies of the reports made by both boards of commissioners, and of the letters of the Secretary of the Commonwealth, and Attorney-General, are herewith transmitted.

JOSEPH HIESTER.

*Harrisburg, February 15, 1821.*

Pursuant to the directions and provisions of the 12th section of the act entitled "An act to enable the Governor of this commonwealth to incorporate a company for making an artificial road from Erie to Waterford," passed the 14th day of February, 1804: We, the subscribers, having been nominated and appointed by the Governor of the said commonwealth to view and examine the artificial road made by the president, managers and company of the Erie and Waterford turnpike road," between the two aforesaid towns; and having examined the same road in pursuance of the said appointment, do hereby respectfully report:

*To His Excellency SIMON SNYDER, Governor of the said Commonwealth.*

That the said president, managers and company, have caused

a road between the said towns of Erie and Waterford to be laid out, one hundred feet wide, and at least twenty feet thereof to be made an artificial road, bedded with clay and gravel, well compacted together; and in our opinion, of sufficient depth to secure a solid foundation to the same, in such manner as to secure, as near as the aforesaid materials will admit, a firm and even surface, and so nearly level in its progress, as that it does in no place rise or fall more than will form an angle of four degrees with a horizontal line; and that the said road is, as we believe, executed in a masterly, workmanlike manner, according to the true intent and meaning of the act aforesaid.

Given under our hands, at the said town of Waterford, in the county of Erie, this tenth day of July, in the year of our Lord one thousand eight hundred and nine.

JESSE MOORE,

W. BELL,

JAMES G. HERON,

*Erie, September 7th, 1808.*

*His Excellency THOMAS M'KEAN, Governor of the Commonwealth of Pennsylvania.*

SIR,

On behalf and by direction of the managers and company of the Erie and Waterford turnpike road, I have the honor of applying to your excellency for the appointment of persons to view and report whether the road is completed in manner required by the act of assembly.

It is important to the interest of the state as well as of the individual stockholders, that the road should be examined early, that the company may (should the road be approved), be authorised to collect toll before the commencement of winter. The former road is so excessively bad that we must permit the turnpike to be travelled in the mean time. I would take the liberty of suggesting to your Excellency, that should it be thought proper to appoint persons residing in this part of the state, Judge Moore of Meadville, Judge Bell of this county and Judge Heron of Venango county, are altogether disinterested and could be easily convened. They are perhaps as respectable as any that could be named.

I have the honor to be, sir,

With great respect,

Your Excellency's

Obedient servant,

THOS. FORSTER, *President.*

In pursuance of an appointment by his Excellency the Governor of Pennsylvania, and in conformity to an act of the general assembly, passed the 28th day of March, 1814:—

We, the undersigned, have proceeded to view and have examined the Erie and Waterford turnpike road, and make report—That from every discovery we have been able to make, the bed of the road is composed of no harder substance than the natural soil of the land through which the road passes; that the bed of the road has been ploughed and thrown up in a convex form, in such a manner as makes the road in the middle from sixteen to five inches higher than the bottom of the ditches on the sides, though many places of the road at this time, from the frequent repair of travelling, has become flat, and some places hollow, which causes the water to stand in the road. At the beginning of the road, next the town of Erie, the road is made of loam and sand for from 35 to 40 perches; then for 4½ miles the road is principally made of a fine sandy gravel; then for 7½ miles the road is made of a black loam and clay, with a small portion of gravel mixed; the remainder of the road, next Waterford, is made of sand and a fine gravel, (with a few exceptions), which is pretty dry. We find in the first mile from Erie four breaches or mud holes in the road, of considerable size, one frame bridge with three dangerous holes, and at the extremity of the mile, found no mile stone or post; in the second mile one water-pipe insufficient, with five mud-holes; in the third mile, three large mud-holes; in the fourth mile, five large mud-holes; in the fifth mile, one frame bridge out of repair, ten perches of the road sixteen feet wide, one other bridge in good repair; in the sixth mile, nine mud-holes and one bridge out of repair, hand-rails broke off; seventh mile, seven large mud-holes; eighth mile; ninth mile, three mud-holes and several places very uneven; tenth mile, twenty-eight large mud-holes and a toll-gate erected across the road, the distance from Erie or any other place not marked on it; eleventh mile, twenty-five bad mud-holes, two frame bridges in repair; twelfth mile, in tolerable repair; thirteenth mile, one bridge in repair, no mile-stone or post at the end of the mile; fourteenth mile, good road; repairs which have lately been made and is now making on the road, in a general way, is thrown from the ditches on each side of the road.

Therefore, we are of opinion that the said road is not completed agreeably to the act of incorporation for making said road.

**JOHN PHILLIPS,**

**JOHN BOYD,**

**JAMES COCHRAN,**

Commissioners.

*Erie County, ss.*

Before me, Wilson Smith, esquire, a Judge of the Court of Common Pleas, in and for the county aforesaid, personally came the undersigned, *John Phillips, John Boyd and James Cochran*, who, on their solemn oaths, doth depose and say, that the foregoing report is, to the best of their opinion, just and true.

**JOHN PHILLIPS,**  
**JOHN BOYD,**  
**JAMES COCHRAN.**

Sworn and subscribed, this 19th day of August, 1814, before me

**WILSON SMITH**

*Secretary's Office, Lancaster, Feb. 26th, 1811.*

SIR,

In obedience to the direction of the Governor, I enclose to you a copy of a petition presented to him, complaining of the managers and company for making a turnpike road from Erie to Waterford. It may perhaps be proper to inform you, that the company by misrepresentation, induced the late Governor to appoint commissioners to view the road, at a time when it was not half finished; and when they made, in 1809, their report, it furnished matter on the very face of it sufficient for its rejection.

The law required that the road should be "bedded with wood, stone, gravel, or any other hard substance." The commissioners reported that it was "bedded with clay and gravel." In addition to this circumstance, the Governor had also been informed of the facts stated in the petition; he consequently thought it improper to grant a license to the company to demand toll; they have, however, without license, erected gates and taken toll. He therefore suggests to you, the propriety of taking such measures as you may deem legal and proper to redress the evil complained of, and to compel the managers and company to fulfil the intent and meaning of the law under which they were incorporated.

Very respectfully,  
Your obedient servant,

N. B. BOILEAU, *Secretary.*

RICHARD RUSH, Esq.

*Extract of a letter from Richard Rush, Esq. Attorney-General.*

*Philadelphia, April 3d, 1811.*

SIR,

I have written to Mr. Mountain upon the subject of the Erie and Waterford turnpike company, directing particularly his attention to that business.

Upon reflection, since my letter to him went, I have thought that it would be well to enclose a copy of it to you, that it may be shown to the Governor. I now take the liberty to do so, with this view, that, as in that letter, different remedies are suggested towards correcting this abuse of its corporate powers by the company; perhaps it might please the Governor to choose between them, and direct me accordingly. Should his Excellency think fit to adopt such a course, I can follow up my former letter to Mr. Mountain, with any conformable instructions.

(COPY.)

DEAR SIR,

I enclose to you a copy of a letter which I have received from the Secretary of the Commonwealth, as well as the copy of a certain petition presented to his Excellency the Governor, also transmitted to me by the Secretary, and which will, both together, apprise you with sufficient particularity of the case which they set forth. The petition lays a complaint against the president, managers and company of the Erie and Waterford turnpike road, in proceeding to erect gates and take toll without having obtained a license from the Governor, as prescribed by the 12th and 13th sections of the act of the 13th of February, 1804, under which they were incorporated. To this case I have to beg the favor of your attention and services.

The Governor, I apprehend, was strictly warranted in withholding his license, notwithstanding that a report may have been made in favor of the road by the persons whom he appointed to view it, if any imposition was practised, or if the road was not in fact completed according to the meaning and directions of the act.

It has occurred to me, that a remedy lies through two or three courses:

In the first place, passengers might refuse to pay toll, which would lead the company to stop them, when the question of right might come into view in an action to be brought by the former. Or, the same end might be reached, by evading payment in the manner mentioned in the 18th section, which would

also, it is probable, lead to a suit. Should the decision, in either instance be against the company, it would, doubtless, compel them to a fulfilment of the terms of their charter. Perhaps another mode might be, to pull down the gates, in proper manner, as obstructions of the highway. If this should induce an indictment or action, the question of right would still be presented.

But, from the petition to the Governor, it is to be feared, that the operation of interested or partial feelings in the county of Erie, might continue to embarrass or obstruct any resort of this nature. How far such an influence would still be likely to mix itself with every local investigation, I must beg permission to leave to your discretion to say. Should any means of information to which you have access determine you to think that it will, the commonwealth may then resort to its most efficacious instrument of relief as regards the citizen, and of correction as regards the company. I mean—

Lastly—An information in the nature of a *quo warranto* filed *ex officio*, for the purpose of dissolving the corporation. I presume that if the case, on its facts, prove sufficiently strong, the right to this process can readily be shown. One ground, perhaps the strongest upon which the application for it might be rested is, that under the 25th section of the act the original time of limitation for completing the road has now actually run out, which throws the company, provided they have not finished it as the law meant, into the predicament of having lost their charter by the very terms of the grant. I could not think of venturing to anticipate your own researches by saying any thing as to the right (deducible from the law books) of the Commonwealth to take back again to itself the franchises of a corporation forfeitable for misuser or nonuser; but will ask liberty to refer you to a single case, in the fifth volume of the Massachusetts Reports, page 230, where the doctrine is very explicitly recognized.

I am aware, sir, that you are not charged with the interests of the commonwealth in the courts at Erie. But, should a *quo warranto*, be the course, as I incline to advise, the application, will be to the Supreme Court of the western district, where it will naturally claim the benefit of your superintendence.

I am, very respectfully,

Your obedient servant,

R. R.

J. MOUNTAIN, Esq.

March, 1811.

Ordered, To lie on the table.



On motion of Mr. Raguet and Mr. Dickerson,  
The Senate adjourned until half-past three o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Alter in the chair, on the bill from the House of Representatives, entitled  
"An act to extend the Charter of the Philadelphia Bank."

And after some time,  
The committee rose, reported progress and obtained leave to sit again to-morrow.

On motion of Mr. Raguet and Mr. Grosh,  
Ordered, That the bill from the House of Representatives, entitled  
"An act to continue an act entitled "An act to incorporate the Farmers' and Mechanics' Bank;" be committed to the committee on banks.

Adjourned until 10 o'clock to-morrow morning.

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**FRIDAY, February 16, 1821.**

Mr. Raguet presented a petition from the trustees of the Roman Catholic Society, worshipping at St. Mary's Church, in the city of Philadelphia, praying that a law may be passed to remedy certain evils which have arisen under their present act of incorporation; and

The same was read, and referred to the members from the city and county of Philadelphia.

Mr. Cochran presented fourteen petitions of similar tenor from sundry inhabitants of Perry county, praying that the Courts for said county may be held at Millerstown, until the public buildings are erected; and

The same were read and laid on the table.

Mr. Grosh, from the committee appointed on the 10th of January, on the subject of fisheries in the river Susquehanna, on leave given, reported a bill entitled

"An act to repeal parts of certain acts relative to the fisheries in the Susquehanna River, and for other purposes therein mentioned;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to annul the marriage of William M'Keen, and Isabella his wife;" was read the third time; and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. M'Mullin and Mr. Piper, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Cochran, Conyngham, Davidson, Eichelberger, Eyster, Fry, Grosh,	Messrs. Hill, Leib, M'Meens, Power, Sawyer, Wallace, Winter, Marks, Speaker. 16
NAYS.	NAYS.
Messrs. Barnard, Breck, Coleman, Dickerson, Feger, Hubley,	Messrs. Hurst, M'Mullin, Piper, Raguet, Smith, Willetts. 12

So it was determined in the affirmative.

The bill from the House of Representatives, entitled

"An act for the relief of Dickinson College;" was read the third time; and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Eichelberger and Mr. Fry, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cochran, Coleman, Conyngham, Davidson, Eyster, Hill,	Messrs. Hubley, Hurst, M'Mullin, Piper, Power, Kagnet, Sawyer, Smith, 16
NAYS.	NAYS.
Messrs. Barnard, Dickerson, Eichelberger, Feger, Fry, Grosh,	Messrs. Leib, M'Meens, Wallace, Willett, Winter, Marks, speaker, 12

So it was determined in the affirmative.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the former without and the latter with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north-end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin;" was read the second time as reported by a committee of the whole yesterday.

Section one was considered and agreed to.

Section two being under consideration:

A motion was made by Mr. M'Meens and Mr. Cochran,

To amend the same, by striking from line two, the words "seven hundred and fifty;" and by inserting in lieu thereof the words "five hundred," which was not agreed to, and the section was then agreed to.

The title was agreed to, after being amended, to read as follows:

"An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company."

Mr. Cochran presented fourteen petitions of similar tenor from sundry inhabitants of Perry county, praying that the Courts for said county may be held at Millerstown, until the public buildings are erected; and

The same were read and laid on the table.

Mr. Grosh, from the committee appointed on the 10th of January, on the subject of fisheries in the river Susquehanna, on leave given, reported a bill entitled

"An act to repeal parts of certain acts relative to the fisheries in the Susquehanna River, and for other purposes therein mentioned;" which was read the first time.

The bill from the House of Representatives, entitled

"An act to annul the marriage of William M'Keen, and Isabella his wife;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. M'Mullin and Mr. Piper, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Cochran, Conyngham, Davidson, Eichelberger, Eyster, Fry, Grosh,	Messrs. Hill, Leib, M'Meens, Power, Sawyer, Wallace, Winter, Marks, Speaker. 16
NAYS.	NAYS.
Messrs. Barnard, Breck, Coleman, Dickerson, Feger, Hubley,	Messrs. Hurst, M'Mullin, Piper, Raguet, Smith, Willet. 12

So it was determined in the affirmative.

The bill from the House of Representatives, entitled  
"An act for the relief of Dickinson College;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Eichelberger and Mr. Fry, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck, Cochran, Coleman, Conyngham, Davidson, Eyster, Hill,	Messrs. Hubley, Hurst, M'Mullin, Piper, Power, Kagnet, Sawyer, Smith, 16
NAYS.	NAYS.
Messrs. Barnard, Diekerson, Eichelberger, Feger, Fry, Grosh,	Messrs. Leib, M'Meens, Wallace, Willett, Winter, Marks, speaker, 12

So it was determined in the affirmative.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the former without and the latter with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled "An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north-end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin;" was read the second time as reported by a committee of the whole yesterday.

Section one was considered and agreed to.

Section two being under consideration:

A motion was made by Mr. M'Meens and Mr. Cochran, To amend the same, by striking from line two, the words "seven hundred and fifty;" and by inserting in lieu thereof the words "five hundred," which was not agreed to, and the section was then agreed to.

The title was agreed to, after being amended, to read as follows:

"An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company."

Ordered, That said bill be prepared for a third reading.

The bill, entitled  
 "An act to extend the boundaries of Union county;" was  
 read the second time, as reported by a committee of the whole  
 yesterday.

Section one having been considered:

On the question,  
 Will the Senate agree to said section?

The yeas and nays were required by Mr. Wallace and Mr.  
 Willett, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs. Allshouse,</b> Alter, Barnard, Breck, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Fry,	<b>Messrs. Grosh,</b> Hill, Hubley, M'Meens, M'Mullin, Piper. Raguet, Willett, Winter,
	19
NAYS.	NAYS.
<b>Messrs. Cochran,</b> Coleman, Feger, Hurst, Leib,	<b>Messrs. Power,</b> Sawyer, Smith, Wallace, Marks, speaker.
	10

So it was determined in the affirmative.

The remaining sections and title were severally considered  
 and agreed to.

Ordered, That said bill be transcribed for a third reading.

The bill entitled  
 "An act to establish throughout the commonwealth, the sys-  
 tem of Solitary Confinement as a punishment for convicts;"  
 was read the second time, as reported by a committee of the  
 whole yesterday.

Section one having been considered.

On the question,  
 Will the Senate agree to said section?

The yeas and nays were required by Mr. Conyngham and Mr. Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck, Cochran, Coleman, Davidson, Eichelberger, Eyster, Feger, Grosh, Hill,	Messrs. Hubley, Hurst, Leib, M'Meena, M'Mullin, Piper, Raguet, Sawyer, Smith, Wallace, Winter, Marks, speaker, 24
NAYS.	NAYS.
Messrs. Conyngham, Dickerson, Fry,	Messrs. Power, Willetts, 5

So it was determined in the affirmative.

Sections three to ten, inclusive, were severally considered and agreed to.

Section eleven being under consideration:

A motion was made by Mr. Breck and Mr. Leib,

To postpone the further consideration of said section for the present, for the purpose of introducing a new section, in the following words, to wit:

Section 11. And be it further enacted by the authority aforesaid, That whenever a criminal shall, according to the provisions of the 4th section of this act, be sentenced to confinement in the state prison, it shall be the duty of the sheriff of the county where such sentence has been passed, to remove the said criminal from the said state-prison at the expiration of his or her term of service, or in the event of a pardon, and cause him or her to be conveyed therefrom, at the expense of the commonwealth, to the county where the said prisoner was condemned, and there set him or her at liberty."

On the question,

Will the Senate agree so to postpone?

It was determined in the negative, and the 11th section was then agreed to.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

A motion was made by Mr. Hubley and Mr. Cochran, and read as follows, to wit:

Resolved, by the Senate and House of Representatives, That the Legislature will adjourn on Thursday, the fifteenth day of March next."

Ordered, To lie on the table.

On motion of Mr. Dickerson and Mr. Piper,

The Senate adjourned until half-past three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

A motion was made by Mr. Raguet and Mr. Hubley, and read as follows, to wit:

Resolved, That the clerk of the Senate be directed to procure for the Senate chamber, during the ensuing recess of the legislature, two maps of the state of Pennsylvania, of the latest and most correct construction, and to have them properly colored, so as that the boundaries of the counties, as they shall then stand, shall be distinctly defined.

Ordered, To lie on the table.

On motion of Mr. Grosh and Mr. Barnard,

The Senate proceeded to the consideration of the amendments by the Senate, to the bill from the House of Representatives, entitled

"An act to alter and amend the Fee-Bill;" non-concurred in by that House.

On motion,

The Senate receded from the first, second, third, fourth, thirty-second and thirty-sixth amendments.

The twenty-seventh amendment being under consideration, to wit:

Section 11, line 43, after the figure "3," insert as follows, viz: "Provided, That no mileage shall be allowed in civil cases



out of the township or district for which the constable shall have been elected or appointed."

A motion was made by Mr. Grosh and Mr. Alter,

That the Senate *insist* upon said amendment, which was not agreed to.

A motion was then made by Mr. Davidson and Mr. Hubley,

That the Senate *recede* from said amendment, which was agreed to.

On motion,

The amendment by the House of Representatives, to the amendment by the Senate, was considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act to ratify and confirm acts and proceedings of the stockholders of the Washington Bank, and for other purposes."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Friday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill entitled

"An act to annul the marriage of John Messer, and Sarah his wife."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill entitled

"An act regulating fences in the counties of Cumberland and Perry."

And after some time,

The committee rose, and reported said bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole.

Mr. Alter in the chair, on the bill from the House of Representatives, entitled

"An act to extend the charter of the Philadelphia Bank."

And after some time,

The committee rose, reported progress, and obtained leave to sit again to-morrow.

Adjourned until 10 o'clock to-morrow morning.

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## SATURDAY, February 17, 1821.

Mr. Wallace presented a petition from sundry inhabitants of Mifflin county, praying that the Governor may be authorised by law, to incorporate three separate companies, to wit: One for making part of the turnpike road lying between Harrisburg and Millerstown; and one for that part between Millerstown and Lewistown; and one for that part between Lewistown and Huntingdon, or Alexandria. And that the Governor may be authorised to take two thousand dollars worth of stock for each mile of said road, to pay one half of said sum in advance; and

Said petition was read and laid on the table.

Mr. Markley presented a petition from sundry inhabitants of Montgomery county, praying that a law may be passed to reduce the rate of interest; and

The same was read, and referred to Mr. Markley, Mr. Breck, Mr. Eyster, Mr. Hubley and Mr. Power.

Mr. Breck, from the committee to whom was referred, on the eighth of January, a petition from the president and managers of Permanent Bridge Company, reported a bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth, to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia;" which was read the first time.

Mr. Breck, from the committee to whom was referred, on the 13th instant, the petition of the Downingtown, Ephrata and Harrisburg turnpike road company, reported a bill entitled

"An act authorising the Downingtown, Ephrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge;" which was read the first time.

Mr. Raguet, from the committee to whom was referred yesterday, a petition from a certain Roman Catholic Congregation, on leave given, reported a bill entitled

"An act to authorise the Roman Catholic Society, worshipping at the Church of St. Mary's, in Philadelphia, to amend their charter of incorporation;" which was read the first time.

The bill from the House of Representatives, entitled

"An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill entitled

"An act to extend the boundaries of Union County;" was read the third time; and

On the question,  
Shall this bill pass?

A motion was made by Mr. Wallace and Mr. Sawyer, To postpone the further consideration of said question together with the bill, for the present, which was agreed to.

The bill, entitled

"An act to establish throughout the commonwealth the system of Solitary Confinement as a punishment for convicts;" was read the third time.

Whereupon,

A motion was made by Mr. Smith and Mr. Davidson,

That the Senate resolve itself into a committee of the whole on said bill, for the purpose of striking from the fifth section, the following words, to wit: "who shall not be entitled to any compensation."

On the question,

Will the Senate agree to said motion?

It was determined in the affirmative.

Whereupon,

The Senate resolved itself into a committee of the whole, on said bill, Mr. Hubley in the chair.

And after some time,

The committee rose, and reported said bill amended as aforesaid.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative; and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Dickerson and Mr. Fry, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Breck,  
Cochran,  
Coleman,  
Davidson,  
Eichelberger,  
Eyster,  
Feger,  
Grosh,  
Hill,  
Hubley,

## YEAS.

Messrs. Hurst,  
Leib,  
Markley,  
M'Meens,  
M'Mullin,  
Piper,  
Ragnet,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, speaker,

25

## NAYS.

Messrs. Conyngham,  
Dickerson,  
Fry,

## NAYS.

Messrs. Power,  
Willett,

5

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

The bill entitled

"An act regulating Fences in the counties of Cumberland and Perry;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Mr. Raguet read a bill in his place, and on leave given presented the same to the chair, entitled

"An act to authorise the appointment of commissioners to investigate the causes and extent of Pauperism, within the city and liberties of Philadelphia;" which was read the first time.

The clerk of the House of Representatives being introduced, informed, That the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz.

"An act to erect the town of Lebanon, in the county of Lebanon, into a borough."

"An act for the relief of the heirs of James Moore, deceased, and for other purposes."

"An act for the relief of Dickinson College."

He returned the bill entitled

"An act to continue, for four years, the District Court for the city and county of Philadelphia."

And informed, that the House of Representatives have passed said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill entitled

"A supplement to the act entitled "An act erecting part of Cumberland county, into a separate county, to be called Perry."

And after some time,

The committee rose and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. M'Meens and Mr. Cochran,

To postpone the further consideration of said question for the present, which was not agreed to.

The question recurring,  
Will the Senate agree to said report?

It was determined in the affirmative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole,  
Mr. Cochran in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole,  
Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of the town of Gratz, in Dauphin county, to the borough of Reading in Berks county."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Winter and Mr. Conyngham,

The Senate resolved itself into a committee of the whole,  
Mr. Davidson in the chair, on the bill from the House of Representatives, entitled

"An act to incorporate the Widows' Society of Bethlehem."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

Adjourned until 10 o'clock on Monday morning.

MONDAY, February 19, 1821.

Mr. Conyngham presented a petition from sundry inhabitants of the seventeen townships in Luzerne county, praying that further time may be granted to them for patenting their lands in said townships; and

The same was read and laid on the table.

Mr. Markley presented a petition from Ebenezer Rambo, executor of the last will and testament of Matthew Knox, deceased, late of Montgomery county, praying to be authorised to sell and convey certain real estate; and

The same was read, and referred to Mr. Markley, Mr. Cochran and Mr. Eichelberger.

Mr. Coleman presented a petition from Catharine Dissenger, of Lancaster county, praying to be divorced from the bonds of matrimony; and

The same was read, and referred to Mr. Coleman, Mr. Hill and Mr. M'Mullin.

Mr. Breck presented a petition and documents from sundry owners of unseated lands, in Wayne county, complaining of the great disproportion in the rate of taxation in said county, unfavorable to unseated land, occasioned by the disproportionate rate of valuation by the assessors; and praying that said evil may be remedied; and

Said petition was read, and with the documents, referred to Mr. Breck, Mr. Winter and Mr. Conyngham.

Mr. Davidson presented a petition from sundry inhabitants of the borough of Connellsville and its vicinity, in Fayette county, praying that the act entitled "An act for the appraisement of estates taken in execution;" may be re-enacted, with such amendments as may be deemed expedient; and

Said petition was read and laid on the table.

Mr. Davidson also presented a petition from sundry inhabitants of Fayette and Somerset counties, praying that a law may be passed to incorporate a company to make a graded clay, or gravel turnpike road on or near the ground at present laid out as the state road from the White-Horse tavern, on the top of the Allegheny mountain, through Berlin, Connellsville and Middletown, to intersect the United States' turnpike, at or near

Johnston's tavern, in Fayette county; and that a sum of money may be appropriated to aid in making said road; and

Said petition was read and referred to the committee on roads, bridges and inland navigation.

The speaker laid before the Senate a letter from Robert Ralston, treasurer of the Bible Society of Philadelphia, transmitting a copy of the last report of that institution; and

The same was read and laid on the table.

Mr. Davidson, from the committee appointed on the third instant, to confer with a committee from the House of Representatives, on the amendments made by the Senate, to the bill from the House of Representatives; entitled

"An act authorising the secretary of the commonwealth to purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania;" and non-concurred in by that House, made report, which was read as follows, viz:

That the conference having met, could come to no agreement on the subject of the said amendments; therefore recommend to their respective Houses, that the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, considered and adopted.

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Eichelberger, from the committee to whom was referred, on the 6th instant, a petition from sundry inhabitants of the borough of Hanover, reported a bill entitled

"An act to raise by way of Lottery, a sum not exceeding six thousand dollars, to defray the expenses of repairing the German Evangelic Lutheran Church, and building a public school-house in the borough of Hanover, in the county of York;" which was read the first time.

Mr. Dickerson, from the committee on claims, to whom was referred on the 30th of January, the petition of William Hammon, made report, which was read as follows, to wit:

That the petitioner states, that in the year 1812, he was drafted and served a tour of six months duty under General Harrison, at fort Meigs. That during the session of 1812-13, a law was passed, granting each militia-man from this state, who served in that campaign \$20, as a donation, which money, he states, he never drew, nor authorised any other person to draw for him; and declares, under oath, that a receipt with his name to it, in the Auditor-General's office, is a base forgery; and therefore



prays the passage of a law, allowing him the \$20, which the legislature intended originally for him. Your committee are of the opinion, that as the money has been once paid by the state, it would be unjust for her to pay it over again.

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

Mr. Alter, from the committee to whom was referred, on the 13th instant, the petition of William Power, on leave given, reported a bill entitled

"An act compensating William Power, of Perry county, for services rendered;" which was read the first time.

Mr. Leib, from the committee to whom was referred, on the 15th instant, a petition from sundry inhabitants of the Kensington District, of the Northern Liberties, on leave given, reported a bill entitled

"A further supplement to the act entitled "An act to incorporate the Kensington District, of the Northern Liberties;" which was read the first time.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 17th instant, presented to the Governor, for his approbation, an

"Address to the Governor for the removal from office of Edmund Russell, a justice of the peace of Bradford county;" and the several bills entitled as follow, to wit:

"An act to erect the town of Lebanon, in the county of Lebanon, into a borough."

"An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve."

"An act to continue for four years the District Court for the city and county of Philadelphia."

"An act to annul the marriage of William M'Keen and Isabella his wife."

"An act for the relief of Dickinson College."

Ordered, To lie on the table.

The bill entitled

"An act regulating Fences in the counties of Cumberland and Perry;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill, entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county;" was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers;" was read the second time, as reported by a committee of the whole on Saturday last.

The section being under consideration:

A motion was made by Mr. Hubley and Mr. Hurst,

To amend the same, by inserting after the words "Lancaster county," in line five, these words "William M'Fadden, of Crawford county, and to John Morrison of Huntingdon county."

Whereupon,

A division of the question was called for by Mr. Davidson, to end with the word "county," where it first occurs.

On the question,

Will the Senate agree to the first part of the amendment?  
It was determined in the affirmative.

On the question,

Will the Senate agree to the second part of the amendment?  
It was determined in the affirmative, and the section as amended was then agreed to.

The title was agreed to, after being amended, to read  
"An act for the relief of sundry old soldiers."

Ordered, That said bill be prepared for a third reading.

The bill from the House of Representatives, entitled

"An act to incorporate the Widows' Society of Bethlehem;" was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of Gratztown, in Dauphin county, to the borough of Reading, in Berks county;" was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

A motion was made by Mr. M'Meens and Mr. Hurst, and read as follows, to wit:

"Resolved, That a committee be appointed to enquire into the expediency of disposing of the lands transferred by the trustees of Dickinson College, to the commonwealth, to actual settlers, and that the committee have leave to report by bill or otherwise."

Ordered, To lie on the table.

Mr. Raguet read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act for the relief of Witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at Court;" which was read the first time.

On motion of Mr. Breck and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill entitled

"An act for the entire abolition of slavery in Pennsylvania."

And after some time,

The committee rose, reported progress and asked leave to sit again.

Whereupon,

On motion of Mr. Davidson and Mr. Grosh,

Ordered, That the committee of the whole be discharged from the further consideration of said bill, and that it be re-committed to the committee who reported the same.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act to compel the Guardians of Minor Children to give security for the faithful discharge of their duties."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

On motion of Mr. Grosh and Mr. Davidson,

The Senate adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eyster in the chair, on the bill entitled

"A further supplement to an act entitled "An act to alter the judiciary system of this commonwealth."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill entitled

"A supplement to the act entitled "An act for the prevention of Frauds and Perjuries."

And after some time,

The committee rose and reported said bill without amendment

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill from the House of Representatives, entitled

"An act authorising the Corporation of the borough of Harrisburg to supply the said borough with water out of the river Susquehanna and for other purposes."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Thursday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill from the House of Representatives, entitled

**"An act for the relief of the public school of Germantown, in the county of Philadelphia."**

And after some time,

The committee rose, and reported said bill with one amendment, which was read.

On motion of Mr. Alter and Mr. Allshouse,

The Senate resolved itself into a committee of the whole, Mr. Grosh in the chair, on the bill entitled

**"An act to settle and adjust the accounts of Andrew Mitchell, late sheriff of Cumberland county."**

And after some time,

The committee rose and reported said bill with one amendment, which was read.

Adjourned until 10 o'clock to-morrow morning.

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## TUESDAY, February 20, 1821.

Mr. Markley presented a petition from the trustees of the Norristown Academy, praying that pecuniary aid may be granted by law to said institution; and

Said petition was read, and referred to the committee on education.

Mr. Piper presented a petition from sundry inhabitants of Bedford county, praying for the establishment of a Loan-Office; and

The same was read and laid on the table.

Mr. Barnard presented a petition from sundry inhabitants of Chester county, praying that the Seventh Judicial District may be divided and a new district created; and

Said petition was read and laid on the table.

Mr. Power presented a remonstrance from sundry inhabitants of Beaver county, against the erection of a new county from parts of Beaver, Butler and Mercer counties; and

The same was read and laid on the table.

Mr. Coleman, from the committee to whom was referred yesterday, the petition of Catharine Dessinger, on leave given, reported a bill entitled

"An act to annul the marriage of Peter Dessinger and Catharine his wife;" which was read the first time.

Mr. Gresh, from the committee to whom was referred, on the 6th of December last, a petition from certain societies of Seventh Day Baptists, on leave given, reported a bill entitled

"An act to authorise the sale of a certain lot of ground in the city of Philadelphia, belonging to the Society of Seventh Day Baptists;" which was read the first time.

The bill entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled

"An act for the relief of Joseph Reed and John Morrison, old soldiers;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act to incorporate the Widows' Society of Bethlehem;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of Gratztown, in Dauphin county, to the borough of Reading, in Berks county;" was read the third time.

Whereupon,

A motion was made by Mr. Hubley and Mr. Winter,

That the Senate resolve itself into a committee of the whole, for the purpose of amending the first section of said bill, by inserting after the words "Dauphin county," in line six, these words, "through Pine-Grove, Roehrsburg and thence," which motion was not agreed to; and

On the question,  
Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the latter without and the two former with amendments, in which the concurrence of that House is requested.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, stating that he has this day laid before the House of Representatives, sundry depositions, interrogatories and cross-examinations, taken in the case of David Montgomery, a justice of the peace of Lancaster county; and

The same was read and laid on the table.

The bill from the House of Representatives, entitled "An act for the relief of the Public School at Germantown, in the county of Philadelphia;" was read the second time, as reported by a committee of the whole yesterday.

The first and only section having been considered:

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Smith and Mr. Fry, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Breck,  
Coleman,  
Conyngham,  
Davidson,  
Dickerson,  
Feger,  
Hill,  
Hubley,

YEAS.

Messrs. Hurst,  
Markley,  
M'Mullin,  
Piper,  
Raguet,  
Sawyer,  
Wallace,  
Willett,

17.

NAYS.

Messrs. Allshouse,  
Fry,  
Grosh,  
Leib,  
M'Meens,

NAYS.

Messrs. Power,  
Smith,  
Winter,  
Marks, speaker,

9

So it was determined in the affirmative.

The title having been agreed to;

Ordered, That said bill be prepared for a third reading.

The bill entitled

"An act to settle and adjust the accounts of Andrew Mitchell, late sheriff of Cumberland county;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

A motion was made by Mr. Breck and Mr. Alter, and read as follows, to wit:

Resolved, By the Senate and House of Representatives of the commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same, That the Attorney-General of this commonwealth, cause to be prosecuted to conviction, before the competent judicial tribunals, all persons whatsoever, who shall be concerned directly or indirectly in the vending within this state, any ticket or tickets in any lottery not authorised by the laws of this commonwealth, or who shall in any way be concerned, or aiding or assisting in the publishing, printing or advertising, by means of newspapers, handbills, or otherwise, such tickets for sale; and that he proceed in the name and on the behalf of the state, to recover for the use of the Union Canal Company of Pennsylvania, all the fines, penalties and forfeitures that such persons so convicted, may have incurred under the existing laws of this commonwealth.

Resolved, That the Secretary of the Commonwealth cause the above resolution to be printed in the newspapers of the cities of Philadelphia, Lancaster and Pittsburg, and in such other newspapers as he may think proper.

Ordered, To lie on the table.

On motion of Mr. Raguet and Mr. M'Mullin,

The resolution read on the 17th instant, relative to the purchase of two maps, was again read, considered and disagreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, eighteen hundred and twelve."

And after some time,



The committee rose, and reported said bill with amendments, which were read.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hubley in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of sundry Soldiers of the revolutionary war."

And after some time,

The committee rose, and reported said bill with amendments, which were read.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and desired the Secretary of the Commonwealth to return the same to the Houses in which they originated.

"An act to continue, for four years, the District Court for the city and county of Philadelphia."

"An act to erect the town of Lebanon, in the county of Lebanon, into a borough."

"An act for the relief of Dickinson College."

"An act to annul the marriage of William M'Keen, and Isabella his wife."

"An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve;"

JOSEPH HIESTER.

*Harrisburg, February 20, 1821.*

Ordered, To lie on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill entitled

"An act to prevent the cutting of Timber."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Adjourned until 10 o'clock to-morrow morning.

**WEDNESDAY, February 21, 1821.**

Mr. Alter presented a petition and documents from John Smith, praying to be compensated for apprehending and lodging in the jail of Cumberland county, David Lewis, a notorious robber; and

Said petition was read, and with the documents referred to Mr. Alter, Mr. Piper and Mr. Davidson.

Mr. Eyster presented a petition signed by a committee on behalf of a general meeting of the citizens of Adams county, convened at the court-house in the borough of Gettysburg, praying for the establishment of a Loan-Office; and

The same was read, and together with the petitions heretofore presented, referred to Mr. Eyster, Mr. Markley, Mr. Smith, Mr. Grosh and Mr. Winter.

Mr. Conyngham presented a petition from sundry inhabitants of Luzerne county, praying that the provisions of the act of assembly securing to mechanics and others payment for their labor, and materials employed in erecting any house or other building, may be extended to said county; and

Said petition was read, and referred to Mr. Conyngham, Mr. Hubley and Mr. Fry.

Mr. Alter presented a petition from the Susquehanna Guards, praying that they may be exempted from Regimental and Battalion trainings; and

The same was read, and referred to Mr. Alter, Mr. Barnard and Mr. Power.

Mr. Barnard presented three petitions of similar tenor from sundry inhabitants of the townships of Pikeland and Charlestown, in chester county, praying that said townships may be erected into a separate election district, and that the general elections may be held at the Yellow-Springs tavern, in Pikeland township; and

Said petitions were read and laid on the table.

Mr. Power presented a remonstrance from sundry inhabitants of Beaver county, against erecting a new county to be composed of parts of Beaver, Butler and Mercer; and

The same was read and laid on the table.

Mr. Alter, from the committee to whom was referred, on the sixth instant, the petition of Jacob Bicksler, on leave given, reported a bill entitled

"An act to authorise Jacob Bicksler, of Perry county, to raise money by way of Lottery;" which was read the first time.

Mr. Markley, from the committee to whom was referred, on the 19th instant, a petition from Ebenezer Rambo, on leave given, reported a bill entitled

"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey real estate;" which was read the first time.

Mr. Markley, from the committee on the Judiciary System, reported a bill entitled

"A further supplement to the Judiciary System;" which was read the first time.

Mr. Coleman, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor, for his approbation, the bills entitled as follows, to wit:

"An act to alter and amend the Fee-Bill."

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of the town of Gratz, in Dauphin county, to the borough of Reading in Berks county."

"An act for the relief of the heirs of James Moore, deceased, and for other purposes;"

Ordered, To lie on the table.

Mr. Barnard, from the committee to whom was referred, on the 10th instant, a petition from the Trustees of the Chester County Academy, on leave given, reported a bill entitled

"A supplement to the act establishing an Academy in Chester County, passed the thirtieth of March, one thousand eight hundred and eleven;" which was read the first time.

Mr. Barnard, from the committee to whom was referred, on the 10th instant, a petition from John D. Perkins, on leave given, reported a bill entitled

"An act to confirm certain proceedings in the Orphans' Court of Lancaster county, and for other purposes;" which was read the first time.

Mr. Davidson, from the committee appointed on the 14th ult. on the subject of a State-Map, on leave given, reported a bill entitled

"A supplement to the act entitled "An act directing the formation of a Map of Pennsylvania;" which was read the first time.

The bill entitled

"An act to settle and adjust the accounts of Andrew Mitchell, late sheriff of Cumberland county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act for the relief of the public school of Germantown, in the county of Philadelphia;" was read the third time; and

On the question,  
Shall this bill pass?

A motion was made by Mr. Markley and Mr. Davidson, To postpone the further consideration of said question and bill, until to-morrow, which was agreed to.

The speaker laid before the Senate a letter from the Auditor-General, which was read as follows, to wit:

*Auditor General's Office, 21st Feb. 1821.*

SIR,

I herewith respectfully lay before the Senate a statement of the contingent expenses of this office for the year, 1820.

I have the honor to be, sir,

Your most obedient servant,

GEO. BRYAN.

*The honorable speaker of the }  
Senate of Pennsylvania. }*

*Stationary.*

A blank Journal,	\$32 50
Paper, quills, binding, wafers, &c. &c.	60 87
	<hr/> 93 37
Postage,	149 21
William Gordon, taking care of the office, making fires, &c.	80 00
Miscellaneous,	4 88
Expenses attending court at Lancaster, twice, in the	

case of the Mandamus arising out of the Springetsburg lands,	15 62½
Expenses attending court twice, at Reading, to suits in which the Commonwealth is interested,	31 18½
Expenses attending in Washington city, to the adjustment of the accounts of the State of Pennsylvania, against the United States for expenditures arising out of the late war,	79 64
	<hr/> 126 45
	<hr/> \$453 91

Ordered, To lie on the table.

The bill from the House of Representatives, entitled  
 "A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve;" was read the second time as reported by a committee of the whole yesterday.

Whereupon,

A motion was made by Mr. Davidson and Mr. Dickerson,  
 To commit said bill to the committee on roads, bridges and inland navigation, which was agreed to.

The bill from the House of Representatives, entitled  
 "An act for the relief of sundry Soldiers of the Revolutionary War;" was read the second time, as reported by a committee of the whole yesterday.

Whereupon,

A motion was made by Mr. Grosh and Mr. Smith,  
 To commit said bill to the committee on Claims, which was agreed to.

A motion was made by Mr. Leib and Mr. Davidson, and read as follows, to wit:

Resolved, That the Auditor-General be required to furnish to the Senate, a copy of the report made to him by the inspectors of flour and bark, for the port of Philadelphia, under a resolution of the general assembly, passed during the last session.

On motion,

Said resolution was again read, considered and adopted.

A motion was made by Mr. Eyster and Mr. Grosh, and read as follows, to wit:

Whereas, the security for the payment of debts in this commonwealth, are subject to execution and distress, and are fre-

quently ruined, while the principal has property and means to satisfy the same, merely because it may be recovered sooner off the surety, which appears to be inconsistent with the principles of equity and justice, and foreign to the intention of the individuals when they became bound for the debts of others, in which they have had no further interest and no other views than as security for eventual payment, in case the principal should fail or be insufficient.

Therefore,

Resolved, That the judiciary committee be instructed to enquire into the expediency of so altering or amending the laws of this commonwealth, that bail should not be subject to execution and distress, so long as the principal may be reached, and have either real or personal property sufficient to satisfy the debt.

Ordered, To lie on the table.

On motion of Mr. Breck and Mr. Power,

The resolution read yesterday, relative to the sale of Lottery Tickets, was again read, considered and disagreed to.

On motion of Mr. Barnard and Mr. Fry,

The resolution read on the 11th ult. on the subject of bail before Justices of the Peace, was again read, considered and adopted.

Mr. Barnard read a bill in his place, and on leave given presented the same to the chair, entitled

"An act to establish an election district, in Chester county;" which was read the first time.

Agreeably to order,

The bill, entitled

"An act to regulate proceedings in the action of account render;" was read the second time, as reported by a committee of the whole on the 20th of December last.

Whereupon,

On motion,

The Senate again resolved itself into a committee of the whole, on said bill, Mr. Davidson in the chair.

And after some time,

The committee rose, and reported said bill with amendments, which were read.

On motion of Mr. Coleman and Mr. Alter,

The Senate adjourned until half-past three o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Markley in the chair, on the bill entitled

"An act to authorise certain trustees therein named, to convey a lot of land in Birmingham township, in Chester county."

And after some time,

The committee rose and reported said bill without amendment

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill from the House of Representatives, entitled

"An act organizing Clearfield county, for Judicial purposes."

And after some time,

The committee rose and reported said bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. M'Meens and Mr. Conyngham,

To postpone the further consideration of the same, for the present, which was agreed to.

On motion of Mr. Dickerson and Mr. Markley,

Ordered, That the bill entitled

"An act to prevent the cutting of Timber;" be re-committed to a special committee, and that Mr. Dickerson, Mr. M'Meens, Mr. Davidson, Mr. Hubley and Mr. Raguet, be the committee.

On motion of Mr. Conyngham and Mr. Willett,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill entitled

"An act to extend the time for Patenting of Lands in the seventeen townships of Luzerne."

And after some time,

The committee rose and reported said bill with amendments, which were read.

The speaker laid before the Senate a letter from the Auditor-General, together with the documents therein referred to, which were read as follows, to wit:

*Auditor-General's Office, 21st Feb. 1821.*

SIR,

In conformity with the resolution of the Senate of this day, I respectfully submit the enclosed statements.

Very respectfully, sir,

Your most obedient servant,

GEO. BRYAN.

*Hon. Speaker of the Senate }  
of Pennsylvania. }*

*Flour inspected in the city and county of Philadelphia, for nine months, ending 31st December, 1820.*

Barrels superfine,	-	-	-	260,446
Half barrels superfine,	-	-	-	28,474
Barrels scraped,	-	-	-	15,053
Half barrels scraped,	-	-	-	204
Barrels condemned,	-	-	-	828
Middlings,	-	-	-	2,003
Rye,	-	-	-	1,549
Rye condemned,	-	-	-	41
Barrels of corn meal	-	-	-	16,052
Hogsheads of corn meal,	-	-	-	7,427

*Philadelphia City, ss.*

Personally appeared before me the subscriber, one of the Aldermen of the city of Philadelphia, Jacob Holgate, who being duly sworn according to law, doth depose and say, that the above statement contains all the flour, &c. inspected from the 1st day of April to the 31st day of December, 1820, both inclusive.

**JACOB HOLGATE.**

Sworn and subscribed this 29th January, 1821.

J. GEYER, *Alderman.*

Not having been informed that the resolution required the amount of expenses, I have not kept the accounts so as to be able to swear to them. I return the amount, as near as I can recollect, which I believe to be fourteen hundred and fifty-one dollars.

**JACOB HOLGATE.**

Correctly copied,

GEO. BRYAN, A. G.



In compliance with a resolution of the General Assembly of the state of Pennsylvania, relative to the bark inspection law for the port of Philadelphia, inspected in the year 1820.

1820.	Bbls.	Hhds.	Cwt. qrs. lb.			Inspection.		Cooperage.		Am't.	
						D.	C.	D.	C.	D.	C.
January,		28	235	0	8	35	60	7	00	42	60
February,	92	203	2,196	3	6	329	51	50	75	380	26
March,	32	340	2,043	3	1	456	56	82	50	538	06
April,	133	519	4,995	0	10	749	25	134	75	884	00
May,	27	290	2,676	3	16	401	54	74	25	475	79
June,	129	102	1,150	1	00	172	73	30	78	203	51
July,		77	708	2	2	106	28	19	25	123	53
August,	151	72	1,080	0	26	162	03	29	23	192	28
September,	209	42	747	2	5	111	74	17	50	129	14
October,	1	228	2,116	0	1	311	69	55	75	367	14
November,	135	260	2,880	0	7	432	00	71	00	503	00
December,	56	293	2,941	1	13	441	20	74	75	515	95
Total.	965	2,454	23,771	2	11	3,710	13	647	53	4,357	26

*Expenditures, as near as I can ascertain.*

Manual labour,	-	-	-	\$ 1,089
Lampblack, turpentine and brushes,				20
Books and stationary,	-	-	-	20
Lettering papers,	-	-	-	5
Straw,	-	-	-	5
Scales, weights and regulating,	-	-	-	130
				<hr/>
				\$ 1,219

*Philadelphia County, ss.*

On the 5th day of February, in the year of our Lord one thousand eight hundred and twenty-one, personally came Joseph Starne, inspector of ground black oak bark, who being duly sworn, doth depose and say, that the above statement of the quantity of bark inspected is correct, with the fees received, and that to the best of his knowledge the amount of the expenses is truly stated.

**JOS. STARNE.**

Sworn and subscribed before me,

**FRED'K. WOLBERT,**

Correctly copied,

**GEO. BRYAN, A. G.**

**Ordered, To lie on the table.**

**On motion of Mr. M'Meens and Mr. Power,**

**The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill entitled**

**"A supplement to the act entitled "An act declaring the holding of offices or appointments under this state incompatible with the holding or exercising offices or appointments under the United States, passed the twelfth of February, eighteen hundred and two."**

**And after some time,**

**The committee rose, and reported said bill with amendments, which were read.**

**The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled**

**"An act for the Improvement of the State."**

**He informed, that the House of Representatives have adopted the report of the committee of conference, on the subject of the amendments to the bill entitled**

**"An act authorising the secretary of the commonwealth to purchase one hundred copies of Purdon's Digest of the laws of Pennsylvania,"**

**He further informed, that the House of Representatives have appointed Messrs. Todd, Lawrence and Emlin a committee to confer in writing, with a similar committee from Senate, (if Senate should appoint such committee), on the subject of an amendment made by the House of Representatives, to an amendment made by the Senate, (and which the Senate declined to receive) to the bill entitled**

**"An act for the encouragement of raising sheep in Fayette county, and for other purposes."**

**He further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz.**

**"An act for the relief of Joseph Reed and John Morrison, old soldiers."**

**"An act to erect the town of Berlin, in Somerset county, into a borough."**

**"An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north-end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin;" with an amendment to the amendments by the Senate to the latter bill, in which the concurrence of the Senate is requested.**

**A motion was made by Mr. M'Meens and Mr. Willett,**

borough of Hanover, read on the 6th instant, was again read and referred to Mr. Eichelberger, Mr. Hubley and Mr. Sawyer.

The bill entitled

"An act to authorise certain trustees therein named, to convey a lot of land in Birmingham township, in Chester county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading of the bill from the House of Representatives, entitled

"An act for the relief of the Public School of Germantown, in the county of Philadelphia;" postponed for the present yesterday.

The question recurring,

Shall this bill pass?

A motion was made by Mr. Markley and Mr. Leib,

To postpone the further consideration of said question and bill, until Monday next, which was agreed to.

The bill entitled

"An act to regulate proceedings in the action of account render;" was read the second time as reported by a committee of the whole yesterday.

Section one was considered and agreed to.

Sections two, three and four, were severally considered and disagreed to.

Section five, now two, being under consideration:

A motion was made by Mr. Davidson and Mr. Markley,

To postpone the further consideration of the same together with the bill, for the present, which was agreed to.

The bill entitled

"An act to extend the time for Patenting of Lands, in the seventeen townships of Luzerne;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled

"A supplement to the act entitled "An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under

the United States, passed the twelfth day of February, eighteen hundred and two;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. Markley,

To amend the same, by striking out all that follows the word "that," where it occurs the first time, and by inserting in lieu thereof the following words, to wit:

"So much of the act entitled "An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under the United States, passed the twelfth day of February, one thousand eight hundred and two, as relates to judges, inspectors or clerks of election, be, and the same is hereby repealed."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Hubley and Mr. Raguet,

To postpone the further consideration of said question together with the section and bill, for the present, which was agreed to.

The bill from the House of Representatives, entitled

"An act granting a review of part of the state read leading from Butler to Franklin;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Hill and Mr. Fry,

The bill entitled

"A supplement to the act entitled "An act to provide for the better preservation and increase of the library of this commonwealth;" was read the second time as reported by a committee of the whole on the 18th of January last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Raguet and Mr. Davidson,

The Senate resolved itself into a committee of the whole. Mr. Smith in the chair, on the bill entitled

"An act to regulate Inspections."

And after some time,

The committee rose and reported said bill with amendments, which were read.

Adjourned until 10 o'clock to-morrow morning.

borough of Hanover, read on the 6th instant, was again read and referred to Mr. Eichelberger, Mr. Hubley and Mr. Sawyer.

The bill entitled

"An act to authorise certain trustees therein named, to convey a lot of land in Birmingham township, in Chester county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

Agreeably to order,

The Senate resumed the third reading of the bill from the House of Representatives, entitled

"An act for the relief of the Public School of Germantown, in the county of Philadelphia;" postponed for the present yesterday.

The question recurring,  
Shall this bill pass?

A motion was made by Mr. Markley and Mr. Leib,  
To postpone the further consideration of said question and bill, until Monday next, which was agreed to.

The bill entitled

"An act to regulate proceedings in the action of account render;" was read the second time as reported by a committee of the whole yesterday.

Section one was considered and agreed to.

Sections two, three and four, were severally considered and disagreed to.

Section five, now two, being under consideration:

A motion was made by Mr. Davidson and Mr. Markley,

To postpone the further consideration of the same together with the bill, for the present, which was agreed to.

The bill entitled

"An act to extend the time for Patenting of Lands, in the seventeen townships of Luzerne;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled

"A supplement to the act entitled "An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under

the United States, passed the twelfth day of February, eighteen hundred and two;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. Markley,

To amend the same, by striking out all that follows the word "that," where it occurs the first time, and by inserting in lieu thereof the following words, to wit:

"So much of the act entitled "An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under the United States, passed the twelfth day of February, one thousand eight hundred and two, as relates to judges, inspectors or clerks of election, be, and the same is hereby repealed."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Hubley and Mr. Raguet,

To postpone the further consideration of said question together with the section and bill, for the present, which was agreed to.

The bill from the House of Representatives, entitled

"An act granting a review of part of the state read leading from Butler to Franklin;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Hill and Mr. Fry,

The bill entitled

"A supplement to the act entitled "An act to provide for the better preservation and increase of the library of this commonwealth;" was read the second time as reported by a committee of the whole on the 18th of January last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Raguet and Mr. Davidson,

The Senate resolved itself into a committee of the whole. Mr. Smith in the chair, on the bill entitled

"An act to regulate Inspections."

And after some time,

The committee rose and reported said bill with amendments, which were read.

Adjourned until 10 o'clock to-morrow morning.

**FRIDAY, February 23, 1821.**

Mr. Breck presented a petition from sundry inhabitants of the city of Philadelphia, praying that a law may be passed to repeal the second section of the act entitled "An act relating to auctioneers;" and to revive so much of the third section of the act entitled "An act to alter and amend an act entitled "An act for the effectual suppression of public auctions and vendues, and to prohibit all persons capable of bearing arms, from being hawkers and pedlars;" as gives the auctioneers the sole power of selling by public-outcry or vendue, real estates, or household furniture and wearing apparel, or ships or vessels; and

Said petition was read and laid on the table.

Mr. Power presented a petition from sundry inhabitants of Armstrong county, praying that a law may be passed to authorise the Governor to subscribe for fifteen thousand dollars in the stock of the companies for making a turnpike road from the town of Ebensburg to the town of Indiana, and from the said town of Indiana to the town of Kittanning; and

Said petition was read and laid on the table.

The speaker laid before the Senate a letter from Robert's Vaux, president of the Board of Comptrollers of the Public-Schools, for the first school district of the state of Pennsylvania, transmitting the annual report of said comptrollers; and

The same was read and laid on the table.

Mr. Fry, from the committee to whom was referred, on the 9th instant, the letter and documents of Charles L. Hutter, made report, which was read as follows, to wit:

That they have examined the paper and documents relating thereto, and that in the investigation of the subject, it appears from the report of the committee on accounts, made to the Senate on the 12th day of December last, that Mr. Hutter did not deliver the German journals at the office of the Secretary of the Commonwealth until the 9th of June, at which time, the pamphlet laws, &c were sent to the westward; in consequence of which, 104 copies were left on hand. The contract was to deliver the journals 40 days after the close of the session. And it also appears by the report of the committee on accounts, that Mr. Hutter has drawn, by two warrants on the State Treasury, at the last session, \$600, and that his account against the com-

monwealth, according to his contract, is \$685, which would leave a balance in his favor of \$85; but, in consequence of the 104 copies being left on hand, Mr. Hutter is found indebted to the commonwealth a balance of \$93.

On the 5th ult. Mr. Hutter communicated to the speaker of the Senate, by letter, together with documents, containing the depositions of Peter Newhard and Charles Troxell, stating the cause of his not being able fully to perform his engagements in delivering the journals at the time stipulated, and alleges the cause of the failure of the delivering, that the English journals, at different periods of time, did not regularly come to hand; that on one occasion, Mr. Newhard, a member of the House of Representatives, on a visit to his family in Allentown, took charge of some of the journals to deliver them to Mr. Hutter, but that he lost them on his journey, which fact is corroborated by Mr. Newhard himself. It also appears from the deposition of Charles Troxell, who states that he was in the printing-office of Mr. Hutter, and had the immediate superintendancy of the printing of the German journals, that Mr. Hutter was fully prepared with all the necessary materials to do the work before the commencement of the session; that he was delayed at least ten days from the beginning, on account of Mr. Newhard having lost the English copy; that subsequently, frequent delays of five or six days took place, owing to the non-receipt of the English copy, and that the last half-sheets of the English journal did actually not arrive at Allentown until four or five days after the time had expired that Mr. Hutter was to have had them at Harrisburg. The committee, on enquiry, also find that it had been the usual practice heretofore, for the publisher of the English journal to forward them on from time to time as the English journals were printed, if the printer of the German journal did not live at the seat of Government. It is perfectly manifest to the committee, that the delay was not produced by the carelessness of Mr. Hutter, but was exclusively owing to his not procuring regular copies of the English journal. From this view of the subject, and under all circumstances, the committee are of opinion that the failure of Mr. Hutter, in not fully complying with his contract, originated from unavoidable causes, over which he had no control, and that he is entitled to the full benefit of his contract. The committee therefore submit the following resolution:

Resolved, That the speaker draw his warrant on the State-Treasurer for eighty-five dollars, being the amount in full for printing the German journal of the session 1819 and 1820, according to his contract.



Ordered, To lie on the table.

The bill, entitled

"An act to extend the time for Patenting of Lands in the seventeen townships of Luzerne;" was read the third time; and

Resolved, That it pass.

The bill entitled

"A supplement to the act entitled "An act to provide for the better preservation and increase of the Library of this Commonwealth;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives, for concurrence.

The bill from the House of Representatives, entitled

"An act granting a review of part of a state road leading from Butler to Franklin;" was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed said bill without amendment.

On motion of Mr. Raguet and Mr. Breck,

The Senate again resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill entitled

"An act to regulate Inspections;"

And after some time,

The committee rose and reported said bill with amendments.

On motion,

Said bill was read the second time.

Section one being under consideration:

A motion was made by Mr. Smith and Mr. Breck,

To amend the same, by striking out the words "three-fourths of a cent," and by inserting in lieu thereof the words "one cent."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Grosh and Mr. Winter, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Breck, Dickerson, Leib, Markley,	Messrs. M'Meens, Power, Raguet, Smith, Marks, speaker, 10
NAYS.	NAYS.
Messrs. Alter, Barnard, Coleman, Davidson, Eyster, Fry, Grosh, Hubley,	Messrs. Hurst, M'Mullin, Piper, Sawyer, Wallace, Willett, Winter, 15

So it was determined in the negative, and the section was then agreed to.

The remaining sections and title were severally considered and agreed to; and

Ordered, That said bill be transcribed for a third reading.

A motion was made by Mr. Leib and Mr. Davidson, and read as follows, to wit:

"Resolved, That the clerk of the Senate be directed to pay the postage of letters directed to and received by members, and not the postage of such as have been or may be forwarded to their correspondents."

On motion,

Said report was again read, and the same being under consideration:

A motion was made by Mr. Grosh and Mr. Davidson,

To amend the same, by striking therefrom the words "have been or," and by inserting after the word "may," the word "hereafter," which was agreed to, and the resolution as amended was then agreed to.

A motion was made by Mr. Grosh and Mr. Markley, and read as follows, to wit:

"Resolved, That the committee on the Judiciary System be instructed to enquire into the expediency of bringing in a bill to direct the several courts within this commonwealth to consider valid in law, any grant, bargain, sale, lease, release or assurance whatsoever heretofore bona fide, made and executed by husband

and wife, of any lands, tenements or hereditaments: Provided, The judge, magistrate, alderman or justice of the peace, before whom the acknowledgment of the wife shall have been taken, has certified that the acknowledgment was taken according to law, or that it was taken in due form of law; or that it was taken according to the act of assembly in such case made and provided, or has used in his certificate any other form of words, whereby it shall appear to the satisfaction of such court, that the provisions of the several acts of assembly, which provides for taking the acknowledgments of feme couverts, have been substantially complied with; and that the party or parties whose titles may be in dispute on the above mentioned grounds, may, offer parol proof that the acknowledgment was in fact made by the wife named therein, according to the provisions of the acts of assembly in such case made and provided.

Ordered, To lie on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

"An act to establish a Fifteenth Judicial District."

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act granting a sum of money to aid in removing obstructions out of Shearman's Creek."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Tuesday, the 6th of March.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill entitled

"An act extending an act entitled "An act to encourage the apprehension of persons who shall have committed the crime of Horse-Stealing," to the county of Lancaster."

And after some time,

The committee rose and reported said bill with amendments.

On motion,

Said bill was read the second time, considered by section and agreed to; and

**Ordered, That it be transcribed for a third reading.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

**"An act to ratify and confirm acts and proceedings of the stockholders of the Washington Bank, and for other purposes."**

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Raguet and Mr. Grosh,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill entitled

**"An act to confer on John Kenworthy and Mary Kenworthy, the rights and privileges of children born in lawful wedlock."**

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Davidson and Mr. Raguet,

To postpone the further consideration of the same, for the present, which was agreed to.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and desired the Secretary of the Commonwealth to return the same to the Houses in which they originated.

**"An act for the relief of the heirs of James Moore, deceased, and for other purposes."**

**"An act to alter and amend the Fee-Bill."**

**"An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of Gratztown, in Dauphin county, to the borough of Reading, in Berks county."**

**JOSEPH HIESTER.**

*Harrisburg, February 22, 1821.*

**Ordered, To lie on the table.**

On motion of Mr. Sawyer and Mr. Piper,

The Senate resolved itself into a committee of the whole,  
Mr. Alter in the chair, on the bill entitled

“An act authorising the Downingtown, Ephrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge.”

And after some time,

The committee rose, and reported said bill with one amendment.

Adjourned until 10 o'clock to-morrow morning.

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## SATURDAY, February 24, 1821.

A motion was made by Mr. Smith and Mr. Davidson,

That the journal of yesterday be amended, by striking out the words “which were read,” wherever they occur after the report of a chairman of a committee of the whole, and that in future said words be omitted on the journal, in all cases of a report on the part of a committee of the whole.

And the same being under consideration:

A motion was made by Mr. Grosh and Mr. Raguet,

To amend said motion, by striking therefrom all that relates to the journal of yesterday, which was not agreed to.

A motion was then made by Mr. Markley and Mr. Grosh,

To postpone said motion indefinitely, which was not agreed to; and

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Raguet and Mr. Dickerson, and are as follow, to wit:

### YEAS.

Messrs. Allshouse,  
Alter,  
Breck,

### YEAS.

Messrs. Hill,  
Leib,  
M'Meens,

YEAS.	YEAS.
Messrs. Coleman, Conyngham, Davidson, Dickerson, Eichelberger, Fry,	Messrs. M'Mullin, Piper, Power, Smith, Willett,
	17.
NAYS.	NAYS.
Messrs. Barnard, Grosh, Hubley, Hurst, Markley,	Messrs. Raguet, Sawyer, Winter, Marks, speaker,
	9

So it was determined in the affirmative.

Mr. Eichelberger obtained leave of absence for a few days for Mr. Eyster.

Mr. Dickerson obtained leave of absence for a few days for Mr. Wallace.

Mr. Sawyer presented a petition from sundry inhabitants of this commonwealth, praying that measures may be adopted for uniting the rivers Susquehanna and Schuylkill, by a canal navigation; and

The same was read and laid on the table.

Mr. Power presented a petition from Catharine Pinkerton, the widow of an old soldier, praying to be placed upon the pension list; and

The same was read, and referred to the committee on claims.

Mr. Barnard presented two petitions of similar tenor from sundry inhabitants of the townships of Pikeland and Charlestown, in the county of Chester, praying that said townships may be erected into a separate election district, to hold their elections at the Yellow Springs' tavern; and

The same were read and laid on the table.

Mr. Barnard also presented a remonstrance against the prayer of the last named petitions; and

The same was read and laid on the table.

Mr. Power presented a petition from Jacob Beer, together with documents, praying that he may be authorised by law to make a certain release therein mentioned; and

The same was read and laid on the table.

Mr. Dickerson, from the committee to whom was committed on the 21st instant, the bill from the House of Representatives, entitled

"An act for the relief of sundry Soldiers of the revolutionary war;" reported said bill with amendments, which were read.

Mr. Breck, from the committee to whom was re-committed on the 19th instant, the bill entitled

"An act for the entire abolition of slavery in Pennsylvania;" reported said bill with amendments, which were read.

Mr. Breck, from the committee to whom was referred, on the 19th instant, a petition from sundry inhabitants of Wayne county, on leave given, reported a bill entitled

"A supplement to the act entitled "An act for raising county rates and levies;" which was read the first time.

The bill entitled

"An act to regulate Inspections;" was read the third time; and

Resolved, That it pass.

The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, viz.

"An act providing compensation to James Lockhart, for a tract of land certified to Connecticut Claimants, in Salem township, Luzerne county."

"An act for the relief of James M'Ghee and others;" also, a

"Resolution authorising the Governor to deliver to any authorised agent or officer, any arms or other property of the United States, which may have come into the possession of this state during the late war;" as also—

"An address to the Governor, for the removal from office of James M'Clellan, a justice of the peace of Chester county."

He informed, That the House of Representatives adhere to their amendments, (non-concurred in by the Senate,) to the amendments by the Senate, to the bill entitled

"An act authorising the Governor to incorporate a company for making an artificial road from Bellefonte, in the county of Centre, to the north-end of the Lewistown and Kishacoquillas turnpike road, in the county of Mifflin."

And have appointed Messrs. Anderson, Porter and Robbins, a committee to confer with a committee of the Senate, (if the Senate should appoint such committee), on the subject of said amendment.

On motion,

Ordered, That the Senate *adhere* to their non-concurrence in

the above mentioned amendment, and that Mr. Smith, Mr. Hubley and Mr. Raguet, be a committee to confer with the committee appointed by the House of Representatives, on the subject of said amendment; and

Ordered, That the clerk inform the House of Representatives thereof.

The bills and address presented for concurrence were read the first time.

The bill, entitled

"An act extending an act entitled "An act to encourage the apprehension of persons who shall have committed the crime of Horse-Stealing, to the county of Lancaster;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

The bill entitled

"An act to establish a Fifteenth Judicial District;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill from the House of Representatives, entitled

"An act to ratify and confirm acts and proceedings of the Stockholders of the Washington Bank, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill entitled

"An act authorising the Downingtown, Ephrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Fry and Mr. Winter,

The report read yesterday, in the case of Charles L. Hutter, was read the second time, and the same being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration thereof, for the present, which was agreed to.

Agreeably to order,



The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill entitled

"An act to authorise the appointment of additional Auctioneers within the city and liberties of Philadelphia."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Davidson and Mr. Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Davidson, Dickerson, Hill,	Messrs. Hurst, Markley, Piper, Power, Smith, Marks, speaker, 12
NAYS.	NAYS.
Messrs. Barnard, Breck, Coleman, Eichelberger, Feger, Gresh, Hubley,	Messrs. Leib, M' Meens, M' Mullin, Raguet, Sawyer, Willett, 18

So it was determined in the negative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia."

And after some time,

The committee rose and reported said bill with amendments,

Adjourned until 10 o'clock on Monday morning.

**MONDAY, February 26, 1821.**

Mr. Cadwallader presented a petition from sundry inhabitants of Bucks county, praying that a law may be passed to prevent any county commissioner from serving as county treasurer or auditor, sooner than three years after the expiration of his term of service as county commissioner; and

The same was read, and referred to Mr. Cadwallader, Mr. Barnard and Mr. Davidson.

Mr. Breck presented two petitions of similar tenor from sundry inhabitants of this commonwealth, praying that measures may be adopted to make a water communication between the rivers Susquehanna and Schuylkill; and

The same were read and laid on the table.

Mr. Power presented a remonstrance from sundry inhabitants of Beaver county, against the erection of a new county from parts of Beaver, Butler and Mercer counties; and

The same was read and laid on the table.

Mr. Hill presented two petitions of similar tenor from sundry inhabitants of Greene county, praying that a law may be passed to establish a road from Uniontown, in Fayette county, to Waynesburg, in Greene county; and

The same were read, and referred to the committee on roads, bridges and inland navigation.

Mr. Hill also presented a remonstrance from sundry inhabitants of Greene county, against the prayer contained in the last mentioned petitions; and

Said remonstrance was read and referred to the last named committee.

Mr. Hill also presented a petition from sundry inhabitants of Greene county, praying that the law imposing a tax on dogs may be repealed, so far as relates to said county; and

The same was read, and referred to Mr. Hill, Mr. Allshouse and Mr. Power, with leave to report by bill or otherwise.

Mr. Hill also presented a petition from Hezekiah Niles, stating that he has obtained authority from the legislature of the state of Maryland, to dispose of certain books of his own compilation, by the way of Lottery, and praying that he may be au-

thorised to sell tickets in said lottery within this commonwealth; and

The same was read, and referred to Mr. Hill, Mr. Conyng-  
ham, Mr. Smith, Mr. Hubley and Mr Hurst.

On motion of Mr. Dickerson and Mr. Power,

Ordered, That the committee to whom was referred, on the  
80th ult. a petition relative to the incorporation of Taylorstown,  
be discharged from the further consideration of said subject,  
and that the same be recommended to the early attention of the  
next legislature.

The bill entitled

“An act to establish a Fifteenth Judicial District;” was read  
the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Power and Mr.  
Piper, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs. Barnard,</b> <b>Breck,</b> <b>Cadwallader,</b> <b>Coleman,</b> <b>Conyngham,</b> <b>Davidson,</b> <b>Dickerson,</b> <b>Eichelberger,</b> <b>Feger,</b> <b>Fry,</b> <b>Grosh,</b>	<b>Messrs. Hubley,</b> <b>Hurst,</b> <b>Leib,</b> <b>Markley,</b> <b>Piper,</b> <b>Raguet,</b> <b>Sawyer,</b> <b>Smith,</b> <b>Winter,</b> <b>Marks, Speaker.</b>
21	
NAYS.	NAYS.
<b>Messrs. Allshouse,</b> <b>Alter,</b> <b>M'Meens,</b>	<b>Messrs. Power,</b> <b>Willet.</b>
5	

So it was determined in the affirmative.

The bill entitled

“An act authorising the Downingtown, Ephrata and Harris-  
burg turnpike road company, to extend the road to the Harris-  
burg bridge;” was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled  
 "An act to ratify and confirm acts and proceedings of the Stockholders of the Washington Bank, and for other purposes;" was read the third time; and

Resolved, That it pass.

The Senate resumed the third reading of the bill from the House of Representatives, entitled

"An act for the relief of the Public School of Germantown, in the county of Philadelphia;" postponed for the present on the 22d instant.

The question recurring,  
 Shall this bill pass?

The yeas and nays were required by Mr. M'Meens and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Coleman, Conyngham, Davidson, Dickerson, Feger, Hill,	Messrs. Hubley, Hurst, Markley, Piper, Power, Raguet, Sawyer, 14
NAYS.	NAYS.
Messrs. Allhouse, Alter, Barnard, Eichelberger, Fry, Grosh;	Messrs. Leib, M'Meens, Smith, Willett, Winter, Marks, speaker, 12

So it was determined in the affirmative.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, presented an extract from the journal of that House, which was read as follows, to wit:

*"In the House of Representatives,  
February 26th, 1821.*

"On motion,

"The resolution from the Senate, read on the 31st ultimo, relative to the transmission and reception of bills between the two Houses, within six days of the time which shall have been agreed upon by both Houses for the final adjournment of the legislature, was read a second time, considered and adopted."

The bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth, to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia;" was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. M'Meens and Mr. Willett,

The Senate resumed the second reading and consideration of the bill entitled

"A supplement to the act entitled "An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under the United States, passed the twelfth day of February, eighteen hundred and two;" postponed for the present on the 22d instant.

The question recurring,

On the amendment then proposed to section one?

The yeas and nays were required by Mr. Hubley and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Eichelberger, Feger, Fry,	Messrs. Hill, Markley, M'Meens, Sawyer, Smith, Willett, Winter,
	15
NAYS.	NAYS.
Messrs. Breck, Coleman,	Messrs. Leib, Piper.

NAYS.

NAYS.

Messrs. Dickerson,  
Gresh,  
Hubley,  
Hurst,

Messrs. Power,  
Raguet,  
Marks, speaker.

11

So it was determined in the affirmative, and the section as amended was then agreed to.

The remaining sections were severally considered and disagreed to.

The title was agreed to after being amended to read "An act repealing the Incompatible Law, so far as it relates to election officers."

Ordered, That said bill be transcribed for a third reading.

On motion of Mr. Grosh and Mr. Davidson,

The resolution read on the 23d instant, relative to the acknowledgement of deeds by femmes couvert, was again read, considered and adopted.

On motion of Mr. Raguet and Mr. Hubley,

Ordered, That when the Senate adjourns, it will adjourn to meet again this afternoon, at half-past three o'clock, and that that be the standing hour of meeting in the afternoon whenever the orders of the day shall not have been passed through during the morning.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, stating that he has this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of Bernard Kepner, esquire, a justice of the peace of Schuylkill county; and

The same was read and laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled

"An act to authorise the Roman Catholic Society, worshipping at the Church of St. Mary's, in Philadelphia, to amend their charter of incorporation."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill entitled

**"An act to authorise the appointment of commissioners to investigate the causes and extent of Pauperism, within the city and liberties of Philadelphia."**

And after some time,

The committee rose and reported said bill with one amendment.

On motion of Mr. Breck and Mr. Sawyer,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill entitled

**"An act appointing commissioners to open and construct a road, in Lycoming county, from Carpenter's Mill, in Loyalsock township, to Hogland's Mill in Elkland township."**

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Raguet and Mr. Power,

The Senate resumed the consideration of the report of the committee of the whole, disagreeing to the bill entitled

**"An act to confer on John Kenworthy and Mary Kenworthy the right and privileges of children born in lawful wedlock;"** postponed for the present on the 23d instant.

The question recurring,

Will the Senate agree to said report?

It was determined in the negative.

Whereupon,

On motion,

Said bill was read the second time, the section having been considered:

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. Davidson and Mr. Markley, and are as follow, to wit:

YEAS.  
Messrs. Conyngham,  
Davidson,  
Eichelberger,  
Fry,  
Grosh,  
Hill,

YEAS.  
Messrs. Hurst,  
Markley,  
M'Meens,  
Power,  
Willett.

11.

the above mentioned amendment, and that Mr. Smith, Mr. Hubley and Mr. Raguet, be a committee to confer with the committee appointed by the House of Representatives, on the subject of said amendment; and

Ordered, That the clerk inform the House of Representatives thereof.

The bills and address presented for concurrence were read the first time.

The bill, entitled

"An act extending an act entitled "An act to encourage the apprehension of persons who shall have committed the crime of Horse-Stealing, to the county of Lancaster;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for concurrence.

The bill entitled

"An act to establish a Fifteenth Judicial District;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill from the House of Representatives, entitled

"An act to ratify and confirm acts and proceedings of the Stockholders of the Washington Bank, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill entitled

"An act authorising the Downingstown, Ephrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Fry and Mr. Winter;

The report read yesterday, in the case of Charles L. Hutter, was read the second time, and the same being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration thereof, for the present, which was agreed to.

Agreeably to order,



The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill entitled

"An act to authorise the appointment of additional Auctioneers within the city and liberties of Philadelphia."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Davidson and Mr. Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Davidson, Dickerson, Hill,	Messrs. Hurst, Markley, Piper, Power, Smith, Marks, speaker, 12
NAYS.	NAYS.
Messrs. Barnard, Breck, Coleman, Eichelberger, Feger, Gresh, Hubley,	Messrs. Leib, M' Meens, M' Mullin, Raguet, Sawyer, Willett, 18

So it was determined in the negative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia."

And after some time,

The committee rose and reported said bill with amendments.

Adjourned until 10 o'clock on Monday morning.

**MONDAY, February 26, 1821.**

Mr. Cadwallader presented a petition from sundry inhabitants of Bucks county, praying that a law may be passed to prevent any county commissioner from serving as county treasurer or auditor, sooner than three years after the expiration of his term of service as county commissioner; and

The same was read, and referred to Mr. Cadwallader, Mr. Barnard and Mr. Davidson.

Mr. Breck presented two petitions of similar tenor from sundry inhabitants of this commonwealth, praying that measures may be adopted to make a water communication between the rivers Susquehanna and Schuylkill; and

The same were read and laid on the table.

Mr. Power presented a remonstrance from sundry inhabitants of Beaver county, against the erection of a new county from parts of Beaver, Butler and Mercer counties; and

The same was read and laid on the table.

Mr. Hill presented two petitions of similar tenor from sundry inhabitants of Greene county, praying that a law may be passed to establish a road from Uniontown, in Fayette county, to Waynesburg, in Greene county; and

The same were read, and referred to the committee on roads, bridges and inland navigation.

Mr. Hill also presented a remonstrance from sundry inhabitants of Greene county, against the prayer contained in the last mentioned petitions; and

Said remonstrance was read and referred to the last named committee.

Mr. Hill also presented a petition from sundry inhabitants of Greene county, praying that the law imposing a tax on dogs may be repealed, so far as relates to said county; and

The same was read, and referred to Mr. Hill, Mr. Allshouse and Mr. Power, with leave to report by bill or otherwise.

Mr. Hill also presented a petition from Hezekiah Niles, stating that he has obtained authority from the legislature of the state of Maryland, to dispose of certain books of his own compilation, by the way of Lottery, and praying that he may be au-

thorised to sell tickets in said lottery within this commonwealth; and

The same was read, and referred to Mr. Hill, Mr. Conyng-  
ham, Mr. Smith, Mr. Hubley and Mr Hurst.

On motion of Mr. Dickerson and Mr. Power,

Ordered, That the committee to whom was referred, on the  
80th ult. a petition relative to the incorporation of Taylorstown,  
be discharged from the further consideration of said subject,  
and that the same be recommended to the early attention of the  
next legislature.

The bill entitled

“An act to establish a Fifteenth Judicial District;” was read  
the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Power and Mr.  
Piper, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs.</b> Barnard, Breck, Cadwallader, Coleman, Conyngham, Davidson, Dickerson, Eichelberger, Feger, Fry, Grosh,	<b>Messrs.</b> Hubley, Hurst, Leib, Markley, Piper, Raguet, Sawyer, Smith, Winter, Marks, Speaker. <div data-bbox="1460 1814 1516 1868">21</div>
NAYS.	NAYS.
<b>Messrs.</b> Allshouse, Alter, M'Meens,	<b>Messrs.</b> Power, Willett. <div data-bbox="1483 2116 1516 2159">5</div>

So it was determined in the affirmative.

The bill entitled

“An act authorising the Downingtown, Ephrata and Harris-  
burg turnpike road company, to extend the road to the Harris-  
burg bridge;” was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled  
 "An act to ratify and confirm acts and proceedings of the Stockholders of the Washington Bank, and for other purposes;" was read the third time; and

Resolved, That it pass.

The Senate resumed the third reading of the bill from the House of Representatives, entitled

"An act for the relief of the Public School of Germantown, in the county of Philadelphia;" postponed for the present on the 22d instant.

The question recurring,  
 Shall this bill pass?

The yeas and nays were required by Mr. M'Meens and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Coleman, Conyngham, Davidson, Dickerson, Feger, Hill,	Messrs. Hubley, Hurst, Markley, Piper, Power, Raguet, Sawyer, 14
NAYS.	NAYS.
Messrs. Allehouse, Alter, Barnard, Eichelberger, Fry, Grosh;	Messrs. Leib, M'Meens, Smith, Willett, Winter, Marks, speaker, 12

So it was determined in the affirmative.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, presented an extract from the journal of that House, which was read as follows, to wit:

*"In the House of Representatives,  
February 26th, 1821."*

"On motion,

"The resolution from the Senate, read on the 31st ultimo, relative to the transmission and reception of bills between the two Houses, within six days of the time which shall have been agreed upon by both Houses for the final adjournment of the legislature, was read a second time, considered and adopted."

The bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth, to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia;" was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. M'Meens and Mr. Willett,

The Senate resumed the second reading and consideration of the bill entitled

"A supplement to the act entitled "An act declaring the holding of offices or appointments under this state, incompatible with the holding or exercising offices or appointments under the United States, passed the twelfth day of February, eighteen hundred and two;" postponed for the present on the 22d instant.

The question recurring,

On the amendment then proposed to section one?

The yeas and nays were required by Mr. Hubley and Mr. Grosh, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Conyngham,  
Davidson,  
Eichelberger,  
Feger,  
Fry,

## YEAS.

Messrs. Hill,  
Markley,  
M'Meens,  
Sawyer,  
Smith,  
Willett,  
Winter,

15

## NAYS.

Messrs. Breck,  
Coleman,

## NAYS.

Messrs. Leib,  
Piper.

NAYS.

Messrs. Dickerson,  
Grosch,  
Hubley,  
Hurst,

NAYS.

Messrs. Power,  
Raguet,  
Marks, speaker.

11

So it was determined in the affirmative, and the section as amended was then agreed to.

The remaining sections were severally considered and disagreed to.

The title was agreed to after being amended to read "An act repealing the Incompatible Law, so far as it relates to election officers."

Ordered, That said bill be transcribed for a third reading.

On motion of Mr. Grosch and Mr. Davidson,

The resolution read on the 23d instant, relative to the acknowledgement of deeds by femmes couvert, was again read, considered and adopted.

On motion of Mr. Raguet and Mr. Hubley,

Ordered, That when the Senate adjourns, it will adjourn to meet again this afternoon, at half-past three o'clock, and that that be the standing hour of meeting in the afternoon whenever the orders of the day shall not have been passed through during the morning.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, stating that he has this day laid before the House of Representatives sundry depositions, interrogatories and cross-examinations, taken in the case of Bernard Kepner, esquire, a justice of the peace of Schuylkill county; and

The same was read and laid on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled

"An act to authorise the Roman Catholic Society, worshipping at the Church of St. Mary's, in Philadelphia, to amend their charter of incorporation."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill entitled

**"An act to authorise the appointment of commissioners to investigate the causes and extent of Pauperism, within the city and liberties of Philadelphia."**

And after some time,

The committee rose and reported said bill with one amendment.

On motion of Mr. Breck and Mr. Sawyer,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill entitled

**"An act appointing commissioners to open and construct a road, in Lycoming county, from Carpenter's Mill, in Loyalsock township, to Hogland's Mill in Elkland township."**

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Raguet and Mr. Power,

The Senate resumed the consideration of the report of the committee of the whole, disagreeing to the bill entitled

**"An act to confer on John Kenworthy and Mary Kenworthy the right and privileges of children born in lawful wedlock;"** postponed for the present on the 23d instant.

The question recurring,

Will the Senate agree to said report?

It was determined in the negative.

Whereupon,

On motion,

Said bill was read the second time, the section having been considered:

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. Davidson and Mr. Markley, and are as follow, to wit:

YEAS.

Messrs. Conyngham,  
Davidson,  
Eichelberger,  
Fry,  
Grosh,  
Hill,

YEAS.

Messrs. Hurst,  
Markley,  
M'Meena,  
Power,  
Willet.

11.

NAYS.

Messrs. Allshouse,  
Alter,  
Breck,  
Coleman,  
Hubley,  
M'Mullin,

NAYS.

Messrs. Piper,  
Raguet,  
Sawyer,  
Smith,  
Winter,  
Marks, Speaker. 12

So it was determined in the negative, and the bill lost.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Coleman and Mr. Breck,

The Senate again resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act to compel the Guardians of Minor Children to give security for the faithful discharge of their duties."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Barnard and Mr. Conyngham,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled

"An act extending an act entitled "An act securing to Mechanics and others payment for their labor and materials, in erecting any house or other building within the city and county of Philadelphia." to the county of Delaware."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Allshouse and Mr. Davidson,

The bill from the House of Representatives, entitled

"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Rev. Theodore Browers, deceased," was read the second time, as reported by a committee of the whole on the 30th December last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.



On motion of Mr. Barnard and Mr. Cadwallader,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased." postponed for the present on the 13th instant.

Section one recurring, was considered and agreed to.

The title being agreed to.

Ordered, That said bill be prepared for a third reading.

Adjourned until 10 o'clock to-morrow morning.

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## TUESDAY, February 27, 1821.

Mr. Hubley presented a petition from sundry inhabitants of the county of Schuylkill, praying that a sum of money may be granted to aid them in opening a state road, laid out from the Berwick bridge to the borough of Orwigsburg; and

The same was read and laid on the table.

Mr. Markley presented a petition from a committee appointed at a public meeting of the stockholders of the Pawlingsford bridge, praying that a law may be passed to authorise them to sell and convey the corporate rights of said company; and

The same was read and referred to Mr. Markley, Mr. Raguett and Mr. Piper.

Mr. Alter presented a petition and documents from John M<sup>r</sup>. Carroll, stating that in the year 1807 he was commissioned captain of a company of artillery, and expended a considerable sum of money for gunpowder and the hire of horses to draw the cannon, and praying that he may be remunerated therefor; and

Said petition was read, and with the documents referred to Mr. Alter, Mr. Hill and Mr. Willett.

Mr. Leib presented a remonstrance from sundry inhabitants of the unincorporated part of the Northern Liberties, against

removing the place of holding the elections of the fourth district to "Rose Hill ;" and

The same was read and laid on the table.

Mr. Grosh presented three petitions of similar tenor from sundry inhabitants of Lancaster county, praying that the laws relative to the fisheries in the river Susquehannah may be repealed, so far as they prohibit fishing on certain days named therein ; and

The same were read and laid on the table.

Mr. Power presented a petition from the president and managers of the company for erecting a bridge over the Monongahela river, opposite the city of Pittsburg, stating that they labor under great disadvantage, in consequence of the manner in which the managers of the Pittsburg and Washington turnpike have constructed said road, and praying for legislative interference ; and

Said petition was read, and referred to the committee on roads, bridges and inland navigation.

Mr. Eichelberger, from the committee to whom was referred, on the 22d instant, a petition from sundry inhabitants of the borough of Hanover, on leave given, reported a bill, entitled

"An act to raise, by way of lottery, a sum not exceeding two thousand dollars, to defray the expenses of building a parsonage house for the use of the German reformed congregation, in the borough of Hanover, in the county of York; which was read the first time.

Mr. Markley, from the committee on the Judiciary System reported a bill, entitled "A supplement to an act entitled

"An act to alter and amend the Fee-bill;" which was read the first time.

Mr. Markley, from the committee on the Judiciary System, reported a bill, entitled

"An act declaring what shall be deemed evidence of an acknowledgment of a deed by a feme covert;" which was read the first time.

Mr. Dickerson, from the committee to whom was re-committed, on the 21st instant, the bill entitled

"An act to prevent the cutting of timber;" reported said bill with amendments, which were read.

Mr. Smith, from the committee appointed on the 24th instant, to confer with a committee of the House of Representatives on the amendment by the Senate to the bill from that House, entitled "An act authorising the governor to incorporate the Centre and Kishacoquillas turnpike road company," made report; which was read as follows, to wit:

That the joint committee have agreed to recommend to their respective Houses the following resolution, viz :

Resolved, that the Senate *recede* from their amendment to the second section, and that the House of Representatives *recede* from their non-concurrence in the same ; and that six hundred shall be the number of shares subscribed, before the Governor be authorised to issue letters patent to the company.

On motion,

Said report was again read, and the resolution thereto attached being under consideration,

A motion was made by Mr. Hill and Mr. Dickerson,

To postpone the further consideration of the same, for the present, which was agreed to.

Mr. Coleman, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That they have compared, and yesterday presented to the Governor, for his approbation, the bills entitled as follows, to wit :

"An act for the relief of sundry old soldiers."

"An act granting a review of part of the state road leading from Butler to Franklin."

"An act to erect the town of Berlin, in Somerset county, into a borough."

Ordered, To lie on the table.

Mr. Dickerson, from the committee to whom was referred, on the 24th instant, a petition from Catharine Pinkerton, made report, which was read as follows, to wit :

That the petitioner states that her husband enlisted about nine months after they were married, and served during the revolutionary war; that in 1811 he was granted a pension, which he drew until 1814, the time of his decease. The petitioner also states that she is poor, and prays that a donation or pension may be granted to her. There is no proof before your committee, except a certificate, which states that the facts stated in the petition is believed to be true.

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

The bill, entitled

"An act repealing the Incompatible Law, so far as it relates to election officers," was read the third time ; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Hubley and Mr. Grosh, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Hill,	
Alter,		Markley,	
Barnard,		M'Meens,	
Conyngham,		Smith,	
Eichelberger,		Willet.	
Feger,		Winter,	
Fry,			13.
NAYS.		NAYS.	
Messrs. Breck		Messrs. Leib,	
Cadwallader,		M'Mullin,	
Coleman,		Piper,	
Dickerson,		Power,	
Grosh,		Raguet,	
Hubley,		Sawyer,	
Hurst,		Marks, Speaker.	14

So it was determined in the negative, and the bill lost.

The bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth, to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Reverend Theodore Browers, deceased;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the former without and the latter with amendments, in which the concurrence of that House is requested.

The bill, entitled

"An act to authorise the appointment of commissioners to investigate the causes and extent of Pauperism, within the city and liberties of Philadelphia;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's mill in Loyalsock township, to Hogland's mill in Elkland township;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. M'Meens and Mr. Power,

To postpone the further consideration of said section together with the bill, for the present, which was agreed to.

The bill entitled

"An act to compel the Guardians of minor children, to give security for the faithful discharge of their duties;" was read the second time, as reported by a committee of the whole yesterday.

Section one having been considered.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Markley and Mr. Hubley, and are as follow, to wit:

YEAS.  
Messrs. Barnard,  
Breck,  
Cadwallader,  
Coleman,  
Conyngham,  
Eichelberger,  
Feger,  
Fry,

YEAS.  
Messrs. Hill,  
Hubley,  
Hurst,  
Leib,  
Markley,  
M'Mullin,  
Raguet,  
Sawyer,

## NAYS.

Messrs. Allshouse,  
Alter,  
Dickerson,  
Grosh,  
M'Meens,

## NAYS.

Messrs. Piper,  
Power,  
Smith,  
Winter,  
Marks, speaker, 10

So it was determined in the affirmative.

The remaining sections were severally considered and agreed to.

The title was agreed to, after being amended to read as follows, to wit:

"An act relative to Guardians of minor children."

Ordered, That said bill be transcribed for a third reading.

The bill from the House of Representatives, entitled

"An act extending an act entitled "An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the county of Delaware;" was read the second time, as reported by a committee of the whole yesterday.

The first and only section having been considered:

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. Smith and Mr. Fry, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Barnard,  
Cadwallader,  
Coleman,  
Conyngham,  
Feger,  
Hill,  
Hurst,

## YEAS.

Messrs. Leib,  
Markley,  
M'Meens,  
M'Mullin,  
Power,  
Willett,  
Marks, speaker, 15

## NAYS.

Messrs. Alter,  
Breck,  
Davidson,  
Dickerson,  
Eichelberger,  
Fry,

## NAYS.

Messrs. Grosh,  
Hubley,  
Piper,  
Raguet,  
Smith,  
Winter, 12

So it was determined in the affirmative.

The title was agreed to, after being amended by making the word "county," read "counties," and by inserting after the word "Delaware," the words "Bucks, Luzerne and Mifflin."

Ordered, That said bill be prepared for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follows, viz.

"An act authorising George Miller and others to drain a certain swamp in the county of Dauphin."

"An act for the relief of John Huey of Berks county."

"An act authorising the trustees and elders of the German Reformed and German Lutheran Congregations of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough."

"An act for the relief of William Strickland, of the city of Philadelphia."

"An act for the relief of Thomas Laird."

"An act for the relief of Nancy Felty and Sidney Pindergrass."

"A further supplement to an act entitled "An act authorising the Governor to incorporate two companies for making an artificial road from the city of Pittsburg, through Butler and Mercer to Meadville."

"An act for the relief of sundry Revolutionary Soldiers."

"An act authorising the Governor to appoint commissioners to view and lay out a road from Waterford, in Mifflin county, to Mexico upon the Juniata in Fermanagh township, in the said county."

"An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned."

He informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled

"An act to ratify and confirm acts and proceedings of the stockholders of the Washington Bank, and for other purposes."

The bills presented for concurrence were severally read the first time.

The bill entitled

"An act to authorise the appointment of additional Auctioneers within the city and liberties of Philadelphia;" was read the second time.

Section one being under consideration:

A motion was made by Mr. Raguet and Mr. Eichelberger, To amend the same, by striking out all that follows the word

NAYS.

Messrs. Allshouse,  
Alter,  
Breck,  
Coleman,  
Hubley,  
M'Mullin,

NAYS.

Messrs. Piper,  
Raguet,  
Sawyer,  
Smith,  
Winter,  
Marks, Speaker. 12

So it was determined in the negative, and the bill lost.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Coleman and Mr. Breck,

The Senate again resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act to compel the Guardians of Minor Children to give security for the faithful discharge of their duties."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Barnard and Mr. Conyngham,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled

"An act extending an act entitled "An act securing to Mechanics and others payment for their labor and materials, in erecting any house or other building within the city and county of Philadelphia." to the county of Delaware."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Allshouse and Mr. Davidson,

The bill from the House of Representatives, entitled

"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Rev. Theodore Browers, deceased," was read the second time, as reported by a committee of the whole on the 30th December last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.



On motion of Mr. Barnard and Mr. Cadwallader,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased." postponed for the present on the 13th instant.

Section one recurring, was considered and agreed to.

The title being agreed to.

Ordered, That said bill be prepared for a third reading.

Adjourned until 10 o'clock to-morrow morning.



## TUESDAY, February 27, 1821.

Mr. Hubley presented a petition from sundry inhabitants of the county of Schuylkill, praying that a sum of money may be granted to aid them in opening a state road, laid out from the Berwick bridge to the borough of Orwigsburg; and

The same was read and laid on the table.

Mr. Markley presented a petition from a committee appointed at a public meeting of the stockholders of the Pawlingsford bridge, praying that a law may be passed to authorise them to sell and convey the corporate rights of said company; and

The same was read and referred to Mr. Markley, Mr. Raguett and Mr. Piper.

Mr. Alter presented a petition and documents from John M'Carroll, stating that in the year 1807 he was commissioned captain of a company of artillery, and expended a considerable sum of money for gunpowder and the hire of horses to draw the cannon, and praying that he may be remunerated therefor; and

Said petition was read, and with the documents referred to Mr. Alter, Mr. Hill and Mr. Willett.

Mr. Leib presented a remonstrance from sundry inhabitants of the unincorporated part of the Northern Liberties, against

## NAYS.

Messrs. Allshouse,  
Alter,  
Breck,  
Coleman,  
Hubley,  
M'Mullin,

## NAYS.

Messrs. Piper,  
Raguet,  
Sawyer,  
Smith,  
Winter,  
Marks, Speaker. 12

So it was determined in the negative, and the bill lost.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Coleman and Mr. Breck,

The Senate again resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act to compel the Guardians of Minor Children to give security for the faithful discharge of their duties."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Barnard and Mr. Conyngham,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled

"An act extending an act entitled "An act securing to Mechanics and others payment for their labor and materials, in erecting any house or other building within the city and county of Philadelphia." to the county of Delaware."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Allshouse and Mr. Davidson,

The bill from the House of Representatives, entitled

"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Rev. Theodore Browers, deceased," was read the second time, as reported by a committee of the whole on the 30th December last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Barnard and Mr. Cadwallader,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased." postponed for the present on the 13th instant.

Section one recurring, was considered and agreed to.

The title being agreed to.

Ordered, That said bill be prepared for a third reading.

Adjourned until 10 o'clock to-morrow morning.

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## TUESDAY, February 27, 1821.

Mr. Hubley presented a petition from sundry inhabitants of the county of Schuylkill, praying that a sum of money may be granted to aid them in opening a state road, laid out from the Berwick bridge to the borough of Orwigsburg; and

The same was read and laid on the table.

Mr. Markley presented a petition from a committee appointed at a public meeting of the stockholders of the Pawlingsford bridge, praying that a law may be passed to authorise them to sell and convey the corporate rights of said company; and

The same was read and referred to Mr. Markley, Mr. Raguet and Mr. Piper.

Mr. Alter presented a petition and documents from John M<sup>r</sup>. Carroll, stating that in the year 1807 he was commissioned captain of a company of artillery, and expended a considerable sum of money for gunpowder and the hire of horses to draw the cannon, and praying that he may be remunerated therefor; and

Said petition was read, and with the documents referred to Mr. Alter, Mr. Hill and Mr. Willett.

Mr. Leib presented a remonstrance from sundry inhabitants of the unincorporated part of the Northern Liberties, against

removing the place of holding the elections of the fourth district to "Rose Hill ;" and

The same was read and laid on the table.

Mr. Grosh presented three petitions of similar tenor from sundry inhabitants of Lancaster county, praying that the laws relative to the fisheries in the river Susquehannah may be repealed, so far as they prohibit fishing on certain days named therein ; and

The same were read and laid on the table.

Mr. Power presented a petition from the president and managers of the company for erecting a bridge over the Monongahela river, opposite the city of Pittsburg, stating that they labor under great disadvantage, in consequence of the manner in which the managers of the Pittsburg and Washington turnpike have constructed said road, and praying for legislative interference ; and

Said petition was read, and referred to the committee on roads, bridges and inland navigation.

Mr. Eichelberger, from the committee to whom was referred, on the 22d instant, a petition from sundry inhabitants of the borough of Hanover, on leave given, reported a bill, entitled

"An act to raise, by way of lottery, a sum not exceeding two thousand dollars, to defray the expenses of building a parsonage house for the use of the German reformed congregation, in the borough of Hanover, in the county of York; which was read the first time.

Mr. Markley, from the committee on the Judiciary System reported a bill, entitled "A supplement to an act entitled

"An act to alter and amend the Fee-bill;" which was read the first time.

Mr. Markley, from the committee on the Judiciary System, reported a bill, entitled

"An act declaring what shall be deemed evidence of an acknowledgment of a deed by a feme covert;" which was read the first time.

Mr. Dickerson, from the committee to whom was re-committed, on the 21st instant, the bill entitled

"An act to prevent the cutting of timber;" reported said bill with amendments, which were read.

Mr. Smith, from the committee appointed on the 24th instant, to confer with a committee of the House of Representatives on the amendment by the Senate to the bill from that House, entitled "An act authorising the governor to incorporate the Centre and Kishacoquillas turnpike road company," made report; which was read as follows, to wit:

That the joint committee have agreed to recommend to their respective Houses the following resolution, viz :

Resolved, that the Senate *recede* from their amendment to the second section, and that the House of Representatives *recede* from their non-concurrence in the same ; and that six hundred shall be the number of shares subscribed, before the Governor be authorised to issue letters patent to the company.

On motion,

Said report was again read, and the resolution thereto attached being under consideration,

A motion was made by Mr. Hill and Mr. Dickerson,

To postpone the further consideration of the same, for the present, which was agreed to.

Mr. Coleman, from the committee to compare bills and present them to the Governor, for his approbation, made report, which was read as follows, to wit:

That they have compared, and yesterday presented to the Governor, for his approbation, the bills entitled as follows, to wit :

"An act for the relief of sundry old soldiers."

"An act granting a review of part of the state road leading from Butler to Franklin."

"An act to erect the town of Berlin, in Somerset county, into a borough."

Ordered, To lie on the table.

Mr. Dickerson, from the committee to whom was referred, on the 24th instant, a petition from Catharine Pinkerton, made report, which was read as follows, to wit :

That the petitioner states that her husband enlisted about nine months after they were married, and served during the revolutionary war; that in 1811 he was granted a pension, which he drew until 1814, the time of his decease. The petitioner also states that she is poor, and prays that a donation or pension may be granted to her. There is no proof before your committee, except a certificate, which states that the facts stated in the petition is believed to be true.

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached, considered and adopted.

The bill, entitled

"An act repealing the Incompatible Law, so far as it relates to election officers," was read the third time ; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Hubley and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Eichelberger, Feger, Fry,	Messrs. Hill, Markley, M'Meens, Smith, Willett, Winter,
	13.
NAYS.	NAYS.
Messrs. Breck Cadwallader, Coleman, Dickerson, Grosh, Hubley, Hurst,	Messrs. Leib, M'Mullin, Piper, Power, Raguet, Sawyer, Marks, Speaker.
	14

So it was determined in the negative, and the bill lost.

The bill entitled

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth, to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for concurrence.

The bill from the House of Representatives, entitled

"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Reverend Theodore Browers, deceased;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the former without and the latter with amendments, in which the concurrence of that House is requested.

The bill, entitled

"An act to authorise the appointment of commissioners to investigate the causes and extent of Pauperism, within the city and liberties of Philadelphia;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's mill in Loyalsock township, to Hogland's mill in Elkland township;" was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. M'Meens and Mr. Power,

To postpone the further consideration of said section together with the bill, for the present, which was agreed to.

The bill entitled

"An act to compel the Guardians of minor children, to give security for the faithful discharge of their duties;" was read the second time, as reported by a committee of the whole yesterday.

Section one having been considered.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Markley and Mr. Hubley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard,	Messrs. Hill,
Breck,	Hubley,
Cadwallader,	Hurst,
Coleman,	Leib,
Conyngham,	Markley,
Eichelberger,	M'Mullin,
Feger,	Raguet,
Fry,	Sawyer,

## NAYS.

Messrs. Allshouse,  
Alter,  
Dickerson,  
Grosh,  
M'Meens,

## NAYS.

Messrs. Piper,  
Power,  
Smith,  
Winter,  
Marks, speaker, 10

So it was determined in the affirmative.

The remaining sections were severally considered and agreed to.

The title was agreed to, after being amended to read as follows, to wit:

"An act relative to Guardians of minor children."

Ordered, That said bill be transcribed for a third reading.

The bill from the House of Representatives, entitled

"An act extending an act entitled "An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the county of Delaware;" was read the second time, as reported by a committee of the whole yesterday.

The first and only section having been considered:

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. Smith and Mr. Fry, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Barnard,  
Cadwallader,  
Coleman,  
Conyngham,  
Feger,  
Hill,  
Hurst,

## YEAS.

Messrs. Leib,  
Markley,  
M'Meens,  
M'Mullin,  
Power,  
Willett,  
Marks, speaker, 15

## NAYS.

Messrs. Alter,  
Breck,  
Davidson,  
Dickerson,  
Eichelberger,  
Fry,

## NAYS.

Messrs. Grosh,  
Hubley,  
Piper,  
Raguet,  
Smith,  
Winter, 12



So it was determined in the affirmative.

The title was agreed to, after being amended by making the word "county," read "counties," and by inserting after the word "Delaware," the words "Bucks, Luzerne and Mifflin."

Ordered, That said bill be prepared for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follows, viz.

"An act authorising George Miller and others to drain a certain swamp in the county of Dauphin."

"An act for the relief of John Huey of Berks county."

"An act authorising the trustees and elders of the German Reformed and German Lutheran Congregations of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough."

"An act for the relief of William Strickland, of the city of Philadelphia."

"An act for the relief of Thomas Laird."

"An act for the relief of Nancy Felty and Sidney Pindergrass."

"A further supplement to an act entitled "An act authorising the Governor to incorporate two companies for making an artificial road from the city of Pittsburg, through Butler and Mercer to Meadville."

"An act for the relief of sundry Revolutionary Soldiers."

"An act authorising the Governor to appoint commissioners to view and lay out a road from Waterford, in Mifflin county, to Mexico upon the Juniata in Fermanagh township, in the said county."

"An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned."

He informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled

"An act to ratify and confirm acts and proceedings of the stockholders of the Washington Bank, and for other purposes."

The bills presented for concurrence were severally read the first time.

The bill entitled

"An act to authorise the appointment of additional Auctioneers within the city and liberties of Philadelphia;" was read the second time.

Section one being under consideration:

A motion was made by Mr. Raguet and Mr. Eichelberger,

To amend the same, by striking out all that follows the word

"that," and by inserting in lieu thereof the following words, to wit:

"From and after the first day of May next, it shall be lawful for any citizen of this commonwealth to carry on the business of auctioneer, within the city and liberties of Philadelphia, who shall take out a license for the same, in the manner herewith provided, and enter into bonds, with two or more sufficient sureties, to the satisfaction of the Governor, in the sum of ten thousand dollars, conditioned for the payment to the commonwealth of the duties by him collected."

On the question,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. Raguet and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Coleman, Davidson, Eichelberger,	Messrs. Grosh, Leib, M'Mullin, Raguet, Willett, 10
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Dickerson, Feger, Fry, Hill, Hubley,	Messrs. Hurst, Markley, M'Meens, Piper, Power, Sawyer, Smith, Winter, Marks, Speaker, 18

So it was determined in the negative.

A motion was then made by Mr. Raguet and Mr. Davidson, To postpone the further consideration of said section for the present, for the purpose of introducing a new section in the following words, to wit:

"Section 1. Be it enacted, &c. That from and after the passage of this act, each of the commissioned auctioneers within the city and liberties of Philadelphia, excepting the auctioneer appointed for the sale of horses, carriages and cattle, shall enter into bonds, with two or more sufficient sureties, to

the satisfaction of the Governor, in the sum of twenty thousand dollars, conditioned for the faithful performance of his contract, with those who shall place property in his hands for sale; and in case of the failure of any such auctioneer to fulfil his contracts as aforesaid, and of his taking the benefit of the insolvent laws of this commonwealth, or of his being declared a bankrupt under any law of the United States, the said bond so taken as aforesaid shall be assigned over to the assignees or trustees appointed under said laws, to be by them recovered for the creditors of the said insolvent or bankrupt, and applied exclusively towards the payment, in equal proportions of the demands of those who placed merchandise for sale in the hands of said auctioneer, and whose claims have originated in consequence thereof."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

A division of the question was called for by Mr. M'Meens, to end with postponing the section, for the present.

On the question,

Will the Senate agree so to postpone?

The yeas and nays were required by Mr. M'Meens and Mr. Dickerson, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Grosh,	
Alter,		Hubley,	
Barnard,		Leib,	
Breck,		Markley,	
Coleman,		M'Mullin,	
Davidson,		Raguet,	
Eichelberger,		Sawyer,	
Feger,		Willet.	16
NAYS.		NAYS.	
Messrs. Cadwallader,		Messrs. M'Meens,	
Conyngham,		Piper,	
Dickerson,		Power,	
Fry,		Smith,	
Hill,		Winter,	
Hurst,		Marks, Speaker.	12

So it was determined in the affirmative; and

On the question,

Will the Senate agree to said new section?

The yeas and nays were required by Mr. M'Meens and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck, Cadwallader, Coleman, Conyngham, Davidson, Eichelberger, Feger,	Messrs. Grosh, Hubley, Leib, Marklev, M'Mullin, Raguet, Sawyer, Willett, Winter,
	19
NAYS.	NAYS.
Messrs. Dickerson, Fry, Hill, Hurst, M'Meens,	Messrs. Piper, Power, Smith, Marks, speaker,
	9.

So it was determined in the affirmative.

Section one recurring, in the words following, to wit:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in general assembly met, and it is hereby enacted by the authority of the same, That the Governor be, and he is hereby authorised to appoint and commission within the city and liberties of Philadelphia, thirteen additional auctioneers, who shall pay the same duties, give the same security, and be liable to the same regulations and penalties as the other auctioneers are under the existing laws of this commonwealth."

A motion was made by Mr. Leib and Mr. Feger,

To amend the same, by striking out the word "thirteen," and by inserting in lieu thereof the word "five," which was not agreed to.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. M'Meens and Mr. Allshouse, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Coleman, Feger,	Messrs. Grosh, Leib, M'Mullin, Raguet,
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Dickerson, Eichelberger, Fry, Hill, Hubley,	Messrs. Hurst, Markley, M'Meens, Piper, Power, Sawyer, Smith, Willett, Winter, Marks, speaker,
	20

So it was determined in the negative.

A motion was then made by Mr. Raguet and Mr. Coleman,  
To amend said bill, by adding a new section in the following  
words, to wit:

"Section 2. And be it further enacted by the authority afore-  
said, That from and after the first day of April next, it shall  
not be lawful for any person within the city and liberties of  
Philadelphia, to sell by public outcry or vendue, real estate, or  
household furniture, and wearing apparel, which has actually  
been in use, or any ship or vessel, the property of any citizen  
or citizens of this state or of the United States, unless he shall  
have first obtained a license from the constituted authorities of  
the city or district within the jurisdiction of which he intends  
to carry on the business of auctioneer; and have taken and sub-  
scribed an oath or affirmation, that he will not at any time ex-  
pose to public sale, any property or merchandise which he may  
not lawfully vend by public outcry, agreeably to the laws of  
this commonwealth. And every such licensed auctioneer, shall  
pay for his license, such sum per annum, as the said constituted  
authorities may establish by ordinance, and shall moreover, if  
convicted before any Court of Quarter Sessions, of perjury or  
illegal conduct, suffer such imprisonment, not exceeding one  
year, and be liable to such penalty not exceeding five thousand  
dollars, as the said court may determine."

On the question,  
Will the Senate agree to said section?

A motion was made by Mr. Breck and Mr. Raguet,

To postpone the further consideration of said question together with the bill, for the present; which was agreed to.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts of the general assembly, and desired the Secretary of the Commonwealth to return the same to the Houses in which they originated.

"An act granting a review of part of the state road leading from Butler to Franklin;"

"An act for the relief of sundry old soldiers."

"An act erecting the town of Berlin, in the county of Somerset, into a borough."

I take this opportunity of laying before you copies of a letter from J. P. De Gruchy, president of the board of managers of the Northumberland Bridge Company, together with copies of the accounts of the company, to the first day of May last.

JOSEPH HESTER.

*Harrisburg, February 27, 1821.*

*Northumberland, Jan. 20, 1821.*

SIR,

By order of the board of managers of the Northumberland Bridge Company, I have the honor to enclose you a copy of the accounts of the company to the first of May last, the period to which the accounts are annually made up. It will be observed, that the company are not yet out of debt, although by my last communication to the late governor, dated the 27th December 1819, we were in expectation, that at the present time the receipts of toll would have enabled us to have discharged all the debts: but I am sorry to inform your excellency, that low as we thought the tolls were, ending in December 1819, they are still lower in the year ending December 1820 by \$366 81, and \$1,232 13 lower than at the same period in 1818, and of \$1,889 62 short of the receipts to December 1817. We are in some measure to account for this deficiency from the great decrease of trade and of travelling; but more especially to the

lowness of the waters for the past two years, which has enabled the few who do travel, to pass for many months under the bridge by fording the river, instead of paying the toll and passing on the bridge; an evil which the stockholders of this and similar institutions in this state are obliged to submit to; while in the adjoining state of New-York, those who embark their property in those laudable improvements are protected by acts of assembly, preventing fording of the rivers, and giving to the respective companies a jurisdiction in some cases of *three miles above*, and *three miles below* the bridges.

When we again commence making dividends we shall divide on a capital of \$80,000 instead of 90,000. In more prosperous times than these, I should say that we hoped to begin again to make dividends next May twelve-month: but circumstanced as the times are, your excellency will perceive that it is not possible to make any certain calculation as to the period. We have only to assure you, that no attention on the part of the board will be wanting to attain that desirable object, as soon as the receipts at the bridge will permit it.

All which is respectfully submitted for the information of the legislature, and I have the honor to subscribe myself,

Sir,

Your Excellency's

Most obedient and

Most humble servant,

J. P. DE GRUCHY.

*President N. B. C.*

To his Excellency, JOSEPH HIESTER, Esq.  
Governor of the state of Pennsylvania,  
&c. &c. Harrisburg.

**JOHN BOYD, Esq.** Treasurer of the Northumberland Bridge Company in account with said company.

Dr.

1819, <i>December 24.</i>	To so much passed from the toll account, per order of the board, this day,	\$990 27
1820, <i>April 29.</i>	To so much passed from the toll account, per order of the board, this day, being the balance of that account from the 24th December last,	694 05½

To balance due treasurer on  
this account, subject to the  
settlement of the note ac-  
count,

2,414 05½

---

 \$4,098 37½
 

---

## CONTRA,

Cr.

1819, *May* 1. By balance due treasurer, as per ac-  
count settled this day, subject to  
the settlement of the note ac-  
count,

2,067 19½

————— 5, By cash paid office of Discount and  
Deposit at Reading, in reduction  
of the debt of \$1,000,

500 00

*July,*

By cash paid discount of do.

27 43

By cash paid Northumberland, U-  
nion and Columbia Bank, in full,  
viz :

November 9, 1819, \$500 00

February 9, 1820 500 00

December 27, 1819,

discount on ditto, 35 00½

---

 1,035 00½

*December 27,* By cash paid James Johnston  
for filling abutment on the  
Island, on account of Theo-  
dore Burr,

48 00

## CONTINGENT EXPENSES.

1820, *April* 29, By cash paid for sundry pet-  
ty disbursements, \$31 27½

Do. paid John Kendig,

per order of board, 17 72

Do. paid Mrs. Taggart's

bill to this day, 21 75

---

 70 74½
*Expenses on the Management.*

1820, *April* 20, By cash to President for  
his services to this day, \$150 00

Cash to treasurer and  
clerk, ditto,

200 00

---

 350 00

---

 \$4,098 37½



We, the undersigned managers of the Northumberland Bridge Company, nominated at a meeting of the board, by the president, to inspect the accounts of the treasurer of the company from the first day of May, A. D. 1819, to this day, do report, that after having inspected the said accounts and examined the vouchers, we find a balance due the treasurer, John Boyd, Esq. of two thousand four hundred and seventeen dollars and five and one fourth cents, subject to the settlement of a note account: And we do further report, that by an account presented to us by the treasurer, there appears yet due from the subscribers in the Northumberland book the sum of eleven hundred and thirty-three dollars; and that the company is indebted to the office of discount and deposit at Reading the sum of five hundred dollars; and to John Cowden, esq. for James Gaston, a balance due on account of painting the bridge, the sum of one hundred dollars.

Witness our hands at Northumberland, April 29, A. D. 1820.

Signed

ANDREW ALBRIGHT,  
GEORGE KREMER,  
JOHN COWDEN,  
JACOB DENTLER.

▲ true copy from the original.

J. P. DE GRUCHY, *President.*

Ordered, To lie on the table.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act to repeal parts of certain acts relative to the fisheries in the Susquehanna River, and for other purposes therein mentioned;"

And after some time,  
The committee rose and reported the bill disagreed to.

On the question,  
Will the Senate agree to said report?

The yeas and nays were required by Mr. Grosh and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Davidson, Dickerson, Fry, Hilt, Hurst, Markley,	Messrs. M'Meens, M'Mullin, Piper, Power, Sawyer, Smith, Willetts, Winter, Marks, Speaker. 18
NAYS.	NAYS.
Messrs. Breck Coleman, Eichelberger, Feger,	Messrs. Grosh, Hubley, Leib, Raguet, 8

So it was determined in the affirmative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill entitled

"An act compensating William Power, of Perry county, for services rendered."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of sundry soldiers of the revolutionary war."

And after some time,

The committee rose, and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Grosh in the chair, on the bill entitled

"An act to authorise Jacob Bickaler, of Perry county, to raise money, by way of lottery."

And after some time,  
The committee rose and reported the bill disagreed to.

On the question,  
Will the Senate agree to said report?

It was determined in the affirmative, and the bill lost.

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Hill in the chair, on the bill entitled

"An act providing for the furnishing of the State Capitol, and for other purposes therein mentioned."

And after some time,  
The committee rose, reported progress and asked leave to sit again to-morrow.

Adjourned until 10 o'clock to-morrow morning.

### WEDNESDAY, February 28, 1821.

Mr. Power presented a petition from William Clarke, of Beaver county, praying that a law may be passed to remove the trial of a certain suit from the county of Allegheny, to the county of Beaver; and that some other judge than the present president, who was employed as counsel in said suit, may be authorised to hold a special court for the trial of the same; and

Said petition was read and referred to the committee on the judiciary system.

The clerk of the House of Representatives being introduced, presented an extract from the journal of that House, which was read as follows, to wit:

*"In the House of Representatives,  
February 28th, 1821.*

"On motion,

"Resolved, That the House of Representatives will attend the funeral of its late member, BARNABAS FOULKE, esquire, from

his late residence, at half-past eleven o'clock, on this day; and that Messrs. Robbins, Jenks and Lombaert, be a committee of arrangement."

Mr. Hurst presented a petition from sundry inhabitants of Venango township, in Crawford county, praying that the place of holding the elections in said township may not be changed; and

The same was read and laid on the table.

Mr. Power presented a remonstrance from sundry inhabitants of Beaver county, against the passage of a law to erect a new county from parts of the counties of Beaver, Butler and Mercer; and

The same was read and laid on the table.

On motion of Mr. Grosh and Mr. Davidson,

The following resolution was twice read, considered and adopted, to wit:

"Resolved, That the members of the Senate will attend the funeral of BENJAMIN FOULKE, esquire, late a member of the House of Representatives, from his late residence in this borough, at half-past eleven o'clock this day."

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Hill, from the committee appointed for the purpose, on the 26th instant, reported a bill entitled

"An act repealing the act laying a tax on dogs, so far as the same relates to Greene county;" which was read the first time.

The bill entitled

"An act to authorise the appointment of commissioners to investigate the causes and extent of Pauperism within the city and liberties of Philadelphia;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives, for concurrence.

The bill from the House of Representatives, entitled

"An act extending an act entitled "An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the county of Delaware;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed

the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled "An act for the relief of sundry Soldiers of the Revolutionary War;" was read the second time as reported by a committee of the whole yesterday.

The section being under consideration:

A motion was made by Mr. Conyngham and Mr. Willett, To amend the same, by inserting the name of "Paul Baldy, of Northumberland county," which was not agreed to, and the section was then agreed to.

The title being agreed to;

Ordered, That said bill be prepared for a third reading.

The bill entitled

"An act compensating William Power, of Perry county, for services rendered;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh, To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

On motion of Mr. Grosh and Mr. Davidson,

The following resolution was twice read, considered and adopted, to wit:

"Resolved, That the members of the Senate will wear crape on their left arm during the present session, in testimony of their respect for the late BENJAMIN FOULKE, esquire, one of the members of the House of Representatives."

The clerk of the House of Representatives being introduced, presented an extract from the journal of that House, which was read as follows, to wit:

"Resolved, That the following order of procession shall be observed at the funeral of BENJAMIN FOULKE, esquire, deceased.

1. Ministers of the Gospel.
2. The body with six pall-bearers.
3. The son of the deceased and Mr. Stover.
4. The members from Bucks county.
5. Members who boarded with the deceased.
6. The officers of the House of Representatives.
7. The speaker and members of the House of Representatives.

8. The officers of the Senate.
9. The speaker and members of the Senate.
10. The Governor and Secretary of the Commonwealth.
11. Heads of Department.
12. Citizens and Strangers."

Ordered, To lie on the table.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Raguet and Mr. Grosh,  
The following resolution was twice read, considered and adopted, to wit:

"Resolved, That the Auditor-General be, and he is hereby required to furnish to the Senate, a list of the number of convicts transported to the Penitentiary of Philadelphia, during each of the last ten years, and of the counties from which sent, together with a statement of the amount paid out of the State Treasury, for such transportation in each of said years."

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill entitled

"An act for the relief of Witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at Court."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill entitled

"A further supplement to the Judiciary System."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Friday next.

Adjourned until 10 o'clock to-morrow morning.

**THURSDAY, March 1, 1821.**

Mr. Eichelberger presented four petitions of similar tenor from sundry inhabitants of York county, praying that the "Improvement Bill" may not be passed; and that a law may be passed to establish a Loan-Office; and

The same were read and laid on the table.

Mr. Grosh presented a petition from sundry stockholders in the company for erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia, praying that an act may be passed to repeal the act of the last session, enabling said company to collect their debts; and also to repeal so much of the act regulating banks as relates to said company, and leave them at liberty to use their surplus funds in an office of discount and deposit; and

Said petition was read, and referred to the committee on banks.

On motion of Mr. Smith and Mr. Fry,

The Senate resumed the second reading and consideration of the report of the committee of conference on the bill entitled

"An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company;" postponed for the present on the 27th ult.

Ordered, That the clerk inform the House of Representatives accordingly.

The bill from the House of Representatives, entitled

"An act for the relief of sundry soldiers of the revolutionary war;" which was read the third time;

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same, with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

"A further supplement to an act entitled "An act to provide for the erection of a State Penitentiary on the public land, adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes."

"An act supplementary to an act entitled "An act to incorporate the township of Moyamensing, in Philadelphia county," passed the 24th March, 1812.

"A supplement to an act to encourage the apprehension of persons who shall have committed the crime of horse-stealing."

"An act to incorporate the Loudon-town Water company, in the county of Franklin."

"A further supplement to an act entitled "An act to incorporate the town of Columbia, in the county of Lancaster."

"An act authorising a review of part of the state road in Fayette and Greene counties."

"A supplement to the act entitled "An act to incorporate an academy or public school, in the borough of Erie, and for other purposes therein mentioned," passed the 25th day of March, 1817.

"An act for the relief of Bridget Bruton and others."

"A supplement to an act entitled "An act erecting part of Cumberland county, into a separate county, to be called Perry."

He returned the bill, entitled

"An act more effectually to restrain gunners, and for other purposes,"

And informed,

That the House of Representatives have passed said bill with amendments, in which the concurrence of the Senate is requested.

He further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz:

"An act to vest in Bridget Cooper, the right of this commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased."

"An act for the relief of the Public School of Germantown, in the county of Philadelphia;"

The bills presented for concurrence were severally read the first time.

The amendments, by the House of Representatives, to the bill entitled

"An act more effectually to restrain gunners, and for other purposes,"

Were read the second time, considered and concurred in; and

Ordered, That the clerk inform the House of Representatives accordingly.



A motion was made by Mr. Davidson and Mr. Alter, and read as follows, to wit:

Resolved, that the speaker draw his warrant on the treasurer in favor of H. W. Peterson, the printer of the journal of the Senate in the German language, for the sum of three hundred dollars, he to account for the same in the settlement of his accounts."

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

On motion of Mr. Piper and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Hubley in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act authorising the governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg, to Pittsburg."

And after some time,

The committee rose and reported said bill with amendments.

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Hurst and Mr. Power,

Ordered, that an item of unfinished business, on the journal of the last session, relative to the heirs of John Dunn, be referred to a committee; and that Mr. Hurst, Mr. Dickerson and Mr. Leib be the committee.

On motion of Mr. Raguet and Mr. M'Mullin,

The Senate resumed the second reading and consideration of the bill, entitled

"An act to authorise the appointment of additional auctioneers within the city and liberties of Philadelphia;" postponed for the present on the 27th ult.

Section two recurring, and being under consideration:

A motion was made by Mr. Raguet and Mr. Gresh,

To amend the same by adding to the end thereof the following proviso, to wit:

"Provided, That nothing herein contained shall extend, or be construed, to extend to hinder any lawful executor or executors, administrator or administrators, to expose to sale by way of public auction, vendue or otherwise, any lands, tenements, goods or chattels of their respective testators, or intestates, or to hinder any sheriff, constable or other officer, to sell or dispose of, by way of vendue, any lands, tenements, goods or chattels, taken in execution and liable to be sold by order of law, or to hinder any person or persons from selling or exposing to sale, by way of vendue, any goods or chattels, of any kind whatsoever, taken and distrained for rent arrear; but that all and every such person or persons may do therein, without a license as they might have done, any prohibition in this or any former law contained, to the contrary notwithstanding."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Leib and Mr. Raguet,

To amend said section, by striking from lines 12 and 13, the following words, to wit:

"Pay for his license such sum per annum, as the said constituted authorities may establish by ordinance, and shall moreover," which amendment was agreed to; and the section as amended was then agreed to.

The title was agreed to after being amended to read as follows, to wit:

"A supplement to an act entitled "An act relating to auctioneers."

On the question,

Shall this bill be transcribed for a third reading?

The yeas and nays were required by Mr. M'Meens and Mr. Dickerson, and are as follow, to wit:

YEAS.

Messrs. Adler,  
Barnard,  
Breck,  
Davidson,  
Eichelberger,  
Eyster,  
Feger,

YEAS.

Messrs. Grosh,  
Habley,  
M'Mullin,  
Piper,  
Raguet,  
Sawyer,  
Willett.

**YAYS.**

**Messrs. Allshouse,  
Conyngham,  
Dickerson,  
Fry,  
Hill,  
Hurst,  
Leib,**

**NAYS.**

**Messrs. Markley,  
M'Meena,  
Power,  
Smith,  
Winter,  
Marks, Speaker.**

**13**

**So it was determined in the affirmative.**

**On motion of Mr. Dickerson and Mr. Piper,  
The resolution from the House of Representatives relative  
to delivering certain arms and other property belonging to the  
United States, to an agent or officer authorised to receive the  
same, was read the second time, considered and adopted.**

**Ordered, That the clerk return said resolution to the House  
of Representatives, with information that the Senate have adop-  
ted the same without amendment.**

**Agreeably to order,**

**The Senate again resolved itself into a committee of the whole,  
Mr. Hill in the chair, on the bill entitled**

**"An act providing for the furnishing of the State Capitol and  
for other purposes therein mentioned."**

**And after some time,**

**The committee rose and reported said bill with amendments.**

**Adjourned until half-past three o'clock this afternoon.**

**SAME DAY—IN THE AFTERNOON.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole,  
Mr. Markley in the chair, on the bill entitled**

**"An act for the entire abolition of Slavery in Pennsylvania."**

**And after some time,**

**The committee rose and reported the first section of the bill  
disagreed to.**

On the question,  
Will the Senate agree to said report?

The yeas and nays were required by Mr. Breck and Mr. Davidson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Conyngham, Fry, Hill, Leib, Markley,	Messrs. M'Meens, M'Mullin, Sawyer, Smith, Willett, Winter, 12
NAYS.	NAYS.
Messrs. Allshouse, Alter, Breck, Cadwallader, Davidson, Eichelberger, , Eyster,	Messrs. Feger, Grosh, Hubley, Hurst, Piper, Raguet, Marks, speaker, 14

So it was determined in the negative.

Adjourned until 10 o'clock to-morrow morning.

**FRIDAY, March 2, 1821.**

Mr. Smith presented a petition from sundry inhabitants of Franklin county, praying for the establishment of a Loan-Office; and

The same was read and referred to the committee already appointed on that subject.

Mr. Barnard presented a petition from sundry inhabitants of Charleston and Pikeland townships, in the county of Chester,

praying that a law may be passed to erect said townships into a separate election district; and

The same was read and laid on the table.

Mr. Alter, from the committee to whom was referred, on the 27th ult. the petition of John M'Carrall, on leave given, reported a bill entitled

"An act authorising the auditor-general to settle and adjust the accounts of John M'Carrall;" which was read the first time.

Mr. Cadwallader, from the committee to whom was referred on the 26th ult. a petition from sundry inhabitants of Bucks county, on leave given, reported a bill entitled

"An act relating to the appointment of the Treasurer of Bucks County;" which was read the first time.

Mr. Cochran, from the committee on agriculture and domestic manufactures, reported a bill entitled

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes;" which was read the first time.

Mr. Markley, from the committee to whom was referred, on the 27th ult. a petition from the Pawlingsford Bridge Company, on leave given, reported a bill entitled

"An act authorising the president and managers of the Pawlingsford Bridge, over the river Schuylkill, to sell and transfer all their corporate rights and property;" which was read the first time.

On motion of Mr. Alter and Mr. Markley,

Ordered, That one thousand copies of the report of the committee on the renewal of Bank Charters, read on the 15th of January last, be printed in the German language for the use of the members.

The bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act authorising the Governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill entitled

"A supplement to an act entitled "An act relating to auctioneers;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Markley and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Breck, Cadwallader, Cochran, Davidson, Eichelberger,	Messrs. Eyster, Grosh, Hubley, M'Mullin, Piper, Raguet, Willett, 14
NAYS.	NAYS.
Messrs. Allshouse, Conyngham, Dickerson, Feger, Fry, Hill, Hurst,	Messrs. Leib, Markley, M'Meens, Smith, Winter, Marks, speaker, 18

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

The bill, entitled

"An act providing for the furnishing of the State Capitol, and for other purposes therein mentioned;" was read the second time, as reported by a committee of the whole yesterday.

Sections one to six, inclusive, were severally considered and agreed to.

Section seven being under consideration:

A motion was made by Mr. Grosh and Mr. Markley,

To amend the same, by striking out the words "fifteen thousand dollars," and by inserting in lieu thereof the words "eighteen thousand dollars."

Whereupon,

A division of the question was called for by Mr. Breck, to end with striking out.

On the question,

Will the Senate agree so to strike out?

The yeas and nays were required by Mr. Breck and Mr. Cochran, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Grosh,	
Alter,		Hill,	
Cadwallader,		Leib,	
Cochran,		Markley,	
Davidson,		M'Mullin,	
Eichelberger,		Raguet,	
Eyster,			13.
NAYS.		NAYS.	
Messrs. Barnard,		Messrs. M'Meens,	
Breck,		Piper,	
Conyngham,		Smith,	
Dickerson,		Willett,	
Fry,		Winter,	
Hublely,		Marks, Speaker.	
Hurst,			18

So it was not agreed to, and the section as amended was then agreed to.

The remaining sections and title were severally considered and agreed to; and

Ordered, That said bill be transcribed for a third reading.

The bill entitled

"An act for the entire abolition of slavery in Pennsylvania;" was read the second time as reported by a committee of the whole yesterday.

Whereupon,

A motion was made by Mr. Leib and Mr. Alter,

To postpone the further consideration of said bill indefinitely.

On the question,

Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Breck and Mr. Davidson, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Leib,	
Alter,		Markley,	
Barnard,		M'Meens,	
Cochran,		M'Mullin,	
Conyngham,		Smith,	
Fry,		Willett,	
Hill,		Winter,	
			14

NAYS.

NAYS.

Messrs. Breck,  
Cadwallader,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,  
Feger,

Messrs. Grosh,  
Hubley,  
Hurst,  
Piper,  
Raguet,  
Marks, speaker,

13.

So it was determined in the affirmative, and the bill lost.

On motion,

Ordered, That the bill entitled

"An act to extend the act entitled "An act for the appraisement of estates taken in execution;" be committed to a select committee, and that Mr. Markley, Mr. M'Meens, Mr. Davidson, Mr. Grosh and Mr. Hill be the committee.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, eighteen hundred and twelve."

And after some time,

The committee rose and reported said bill with one amendment.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

"An act to authorise the citizens of the provisional county of Jefferson, to elect county commissioners and for other purposes."

"A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth."

He also presented for concurrence—

"An address to the Governor for the removal from office of Salmon Keeny, a justice of the peace of Bradford county."

He informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled

"An act extending an act entitled "An act securing to Mechanics and others payment for their labor and materials, in erecting any house or other building within the city and county of Philadelphia" to the county of Delaware."



He also informed, that the House of Representatives have concurred in all the amendments by the Senate to the bill entitled

"An act for the relief of sundry Soldiers of the Revolutionary War;" except the following, viz.

Section 1, line 5, strike out "to Robert Thompson of Dauphin county."

Section 2, line 3 and 4, strike out "and Paul Baldy."

line 5, strike out "Thomas Duff;" in which amendments they have non-concurred.

He further informed, that the House of Representatives have adopted the report of the joint committee, on the subject of the amendments to the bill entitled

"An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company."

The bills and address presented for concurrence were severally read the first time.

The amendments non-concurred in by the House of Representatives to the bill entitled

"An act for the relief of sundry Soldiers of the Revolutionary War;" were read the second time.

Whereupon,

A motion was made by Mr. Dickerson and Mr. Smith,

That the Senate *adhere* to their amendments to said bill.

A division of the question was then called for by Mr. Conyngham, so as to exclude the name of Paul Baldy,

On the question,

Will the Senate adhere to their amendments relative to Robert Thompson and Thomas Duff?

It was determined in the affirmative; and

On the question,

Will the Senate *adhere* to their amendments relative to Paul Baldy?

The yeas and nays were required by Mr. Conyngham and Mr. Willett, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Breck,  
Davidson,  
Dickerson,  
Eichelberger,  
Feger,

## YEAS.

Messrs. Fry,  
Grosh,  
Leib,  
M'Meens,  
Raguet,  
Smith,  
Marks, Speaker, 14

NAYS.

NAYS.

Messrs. Conyngham,  
Hubley,  
Hurst,

Messrs. Markley,  
Piper,  
Winter,

-6

So it was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr Smith in the chair, on the bill entitled

"A supplement to an act entitled "An act for establishing a Health-Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

And after some time,

The committee rose, and reported said bill with one amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill entitled

"An act to regulate the payment of costs on indictments."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Hill and Mr. Markley,

To postpone the further consideration of said question, together with the bill, for the present, and to recommend the same to the early attention of the next legislature; which was agreed to.

Adjourned until half-past three o'clock this afternoon.

## SAME DAY--IN THE AFTERNOON.

Agreeably to order,

The "Address to the Governor for the removal from office of James M'Clellan, a justice of the peace of Chester county," was read the second time; and

On the question,  
Will the Senate agree to the same?  
The yeas and nays were taken, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck Cadwallader, Cochran, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Feger, Fry,	Messrs. Grosh, Hill, Hubley, Hurst, Markley, M'Meens, M'Mullin, Piper, Raguet, Smith, Willett. Winter, Marks, Speaker. 26

NAYS 0.

So it was unanimously determined in the affirmative.

Ordered, That the clerk return said address to the House of Representatives, with information, that the Senate have adopted the same, without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of sundry revolutionary soldiers."

And after some time,

The committee rose and reported the same disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. M'Meens and Mr. Raguet,

To postpone the further consideration of said question, together with the bill, for the present, which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill entitled

"A further supplement to the Judiciary System."

And after some time,

The committee rose and reported the bill disagreed to.

NAYS.

NAYS.

Messrs. Conyngham,  
Hubley,  
Hurst,

Messrs. Markley,  
Piper,  
Winter,

.6

So it was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr Smith in the chair, on the bill entitled

"A supplement to an act entitled "An act for establishing a Health-Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

And after some time,

The committee rose, and reported said bill with one amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill entitled

"An act to regulate the payment of costs on indictments."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Hill and Mr. Markley,

To postpone the further consideration of said question, together with the bill, for the present, and to recommend the same to the early attention of the next legislature; which was agreed to.

Adjourned until half-past three o'clock this afternoon.

## SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The "Address to the Governor for the removal from office of James M'Clellan, a justice of the peace of Chester county," was read the second time; and

On the question,  
Will the Senate agree to the same?  
The yeas and nays were taken, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck Cadwallader, Cochran, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Feger, Fry,	Messrs. Grosh, Hill, Hubley, Hurst, Markley, M'Meens, M'Mullin, Piper, Raguet, Smith, Willett. Winter, Marks, Speaker. 26

NAYS 0.

So it was unanimously determined in the affirmative.

Ordered, That the clerk return said address to the House of Representatives, with information, that the Senate have adopted the same, without amendment.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of sundry revolutionary soldiers."

And after some time,  
The committee rose and reported the same disagreed to.  
On the question,  
Will the Senate agree to said report?  
A motion was made by Mr. M'Meens and Mr. Raguet,  
To postpone the further consideration of said question, together with the bill, for the present, which was agreed to.

Agreeably to order,  
The Senate again resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill entitled  
"A further supplement to the Judiciary System."

And after some time,  
The committee rose and reported the bill disagreed to.

On the question,  
Will the Senate agree to said report?  
It was determined in the affirmative, and the bill lost.  
Adjourned until 10 o'clock to-morrow morning.

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**SATURDAY, March 3, 1821.**

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.,

"An act to annul the marriage of George Taylor and Sarah his wife."

"An act to repeal part of the second section of an act entitled "A supplementary act to a law of this province, entitled "An act that no public-house or inn within this province be kept without license."

"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."

"An act authorising an advance of the state's proportion of stock to the fifth section of the Mercer and Meadville turnpike road."

"An act to grant compensation to William Philson, esquire, sheriff of Somerset county."

He informed, that the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz :

"A further supplement to an act entitled "An act authorising the Governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."

"An act to incorporate the Widows' Society of Bethlehem."

He further informed, that the House of Representatives have receded from their non-concurrence, in the amendments by the Senate, to the bill entitled

**“An act for the relief of sundry soldiers of the revolutionary war.”**

The bills presented for concurrence were severally read the first time.

Mr. Cochran presented eight petitions of similar tenor from sundry inhabitants of Chester county, praying that the act passed at the last session of the legislature, to compel the payment of money due for land may be repealed; and

The same were read, and referred to Mr. Cochran, Mr. Hubley and Mr. Eyster.

Mr. Hurst presented a petition from sundry inhabitants of Wayne township, in Crawford county, praying that they may be authorised to hold their elections in future at the house now occupied by James Brawly, in said township; and

Said petition was read and laid on the table.

Mr. Power presented the petition of James Taylor, stating that he is a tenant in common with certain other persons, in a certain piece of ground and mill-privileges, at the Lower-Falls of Big-Beaver Creek, in the county of Beaver—that at the last session of the legislature a law was passed, without his knowledge, to incorporate the “Beaver-Falls Water Company,” by which he conceives his interest to have been materially injured, and praying that relief may be granted to him; and

Said petition was read, and referred to the committee on agriculture and domestic manufactures.

Mr. Barnard presented a petition from Casper Snyder and John Urmy, of Chester county, trustees of the estate of Leonard Walter, a habitual drunkard, praying to be authorised to mortgage his property for the payment of his debts; and

Said petition was read, and referred to Mr. Barnard, Mr. M'Mullin and Mr. Fry.

Mr. Power presented a petition from James Buchanan, praying that a law may be passed to authorise the appointment of some person or persons to settle and adjust a claim which he has upon the estate of John Nicholson; and

Said petition was read, and referred to Mr. Power, Mr. Smith and Mr. Breck.

Mr. Breck, from the committee on roads, bridges and inland navigation, reported a bill entitled

“An act concerning the Pittsburg and Steubenville, and the Washington and Pittsburg turnpike road companies;” which was read the first time.

A motion was made by Mr. Hubley and Mr. Davidson,

To discharge the committee of the whole from any further consideration of the bill entitled

"An act to repeal part of an act for the recovery of monies due to the commonwealth, from persons holding proprietary titles;" and to re-commit said bill to the committee appointed this morning on the same subject, which was agreed to.

On motion of Mr. Grosh and Mr. Davidson,

Ordered, That when the Senate adjourns, it will adjourn until 9 o'clock on Monday morning, and that that be the standing hour of meeting on the morning of each day until otherwise ordered.

The bill entitled

"An act providing for the furnishing of the State Capitol, and for other purposes therein mentioned;" was read the third time; and

On the question,  
Shall this bill pass?

A motion was made by Mr. Davidson and Mr. Power,

That the Senate resolve itself into a committee of the whole on said bill, for the purpose of amending the second, fourth and fifth sections, which was agreed to.

Whereupon,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on said bill.

And after some time,

The committee rose, and reported said bill with the amendments proposed, which were concurred in by the Senate; and

The question recurring,  
Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives, for their concurrence.

The bill from the House of Representatives, entitled

"A further supplement to an act for making the turnpike roads from Susquehanna to Waterford and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill entitled



"A supplement to an act entitled "An act for establishing a Health-Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday.

Sections one to four, inclusive, were severally considered and agreed to.

Section five being under consideration:

A motion was made by Mr. Breck and Mr. Sawyer,

To postpone the further consideration of the same, for the present, for the purpose of introducing a new section in the following words, to wit:

"Section 5. And be it further enacted by the authority aforesaid, That from and after the passing of this act, between the first day of June and the first day of October, that no person or persons, shall, under the penalty of fifty dollars, to be recovered and appropriated as is directed by the act to which this is a supplement, be permitted to store, or keep in any one house, store, cellar, or other inclosure, a greater quantity than one hundred bushels of potatoes or beans, without a permit from the board of health, which permit shall be granted for a limited time therein expressed, and may be renewed from time to time by the board of health."

On the question,

Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Raguet and Mr. Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Davidson, Eyster, Fry, Grosh, Hubley, Markley, M'Meens,	Messrs. M'Mullin, Piper, Raguet, Sawyer, Willett. Winter, Marks, speaker.
	15.
NAYS.	NAYS.
Messrs. Allshouse, Cadwallader, Cochran, Conyngham,	Messrs. Dickerson, Leib, Smith,
	7

So it was determined in the affirmative, and the section was then agreed to.

Section five, now six, was considered and disagreed to.

The title was considered and agreed to.

Ordered, That said bill be transcribed for a third reading.

On motion of Mr. M'Meens and Mr. Dickerson,

The report of the committee of the whole, disagreeing yesterday to the bill from the House of Representatives, entitled "An act for the relief of sundry Revolutionary Soldiers;" was again read, considered and agreed to.

Mr. Breck read a bill in his place, entitled

"A supplement to the act entitled "An act for the gradual abolition of Slavery;" and asked leave to present the same to the chair.

On the question,

Shall the member have leave to present said bill to the chair?

The yeas and nays were required by Mr. Breck and Mr. Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse,	Messrs. Markley,
Breck,	M'Meens,
Cadwallader,	M'Mullin,
Cochran,	Power,
Conyngham,	Raguet,
Davidson,	Sawyer,
Feger,	Smith,
Grosh,	Willett,
Hubley,	Winter,
Hurst,	Marks, speaker.
Leib,	

21

NAYS—NONE.

So it was unanimously determined in the affirmative.

Mr. M'Meens read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act to abolish the office of Attorney-General, and prescribing the manner of appointing attornies of the commonwealth, and their duties;" which was read the first time.

On motion of Mr. Raguet and Mr. Breck,

The bill entitled

"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia;" was read the second time, as reported by a committee of the whole on the 10th ult.

Whereupon,

On motion of Mr. Smith and Mr. Raguet,

The Senate again resolved itself into a committee of the whole, on said bill, Mr. Fry in the chair.

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

Adjourned until 9 o'clock on Monday morning.

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### MONDAY, March 5, 1821.

Mr. Barnard presented eight remonstrances of similar tenor from sundry inhabitants of Chester county, against the repeal of the law laying a tax on dogs; which were read and laid on the table.

Mr. Feger presented three petitions of similar tenor from sundry inhabitants of Berks county, praying that further aid may be granted to certain turnpike road companies; and  
The same were read and laid on the table.

Mr. Davidson presented a petition from John M'CLean, praying to be compensated for certain clothing and other articles furnished by him to men under his command during the late war; and

The same was read and referred to the committee on claims.

Mr. Wallace presented a petition from sundry inhabitants of Huntingdon county, praying that the appraisement law may not be re-enacted; and

The same was read and laid on the table.

The speaker laid before the Senate a letter from Roberts Vaux, which was read as follows, to wit:

*Philadelphia, 3d Month, 2, 1821.*

ESTEEMED FRIEND,

Permit me to ask the favor of thy instrumentality in presenting to the members of the Senate, forty copies of a pamphlet herewith transmitted which furnishes an account of the origin, and progress of the Pennsylvania Institution for the Deaf and Dumb.

The distinguished liberality of the legislature, manifested by the incorporation and endowment of that establishment, has made a grateful and deep impression upon the minds of those who were immediately interested in its formation and usefulness, whilst the patronage of the law-givers of Pennsylvania towards an object so benevolent, cannot fail to yield for them the purest consolations, and the most durable praise.

I am, with great respect,  
Thy Friend,

ROBERTS VAUX,

*Chairman of Committee on Publication, &c.  
of Directors of Pennsylvania Institution  
for Deaf and Dumb.*

*William Marks, Esq. Speaker of }  
the Senate of Pennsylvania. }*

Ordered, To lie on the table.

Mr. Markley, from the committee to whom was committed, on the 2d instant, the bill entitled

"An act to extend the act entitled "An act for the appraisement of estates taken in execution;" reported said bill with amendments, which were read.

Mr. Cochran, from the committee to whom was committed on Saturday last, the bill entitled

"An act to repeal part of "An act for the recovery of monies due to the commonwealth, from persons holding proprietary titles;" together with petitions from sundry inhabitants of Chester county; on the same subject, reported a bill entitled

"An act relative to the Patenting of Lands;" which was read the first time.

The bill from the House of Representatives, entitled "A further supplement to "An act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's creek, passed the twenty-second day of February, one thousand eight hundred and twelve;" was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.**

**The bill entitled**

**"A supplement to an act entitled "An act for establishing a Health-Office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes;" was read the third time; and**

**Resolved, That it pass.**

**Ordered, That the clerk present said bill to the House of Representatives for their concurrence.**

**The bill entitled**

**"An act to authorise the Roman Catholic Society, worshipping at the Church of St. Mary's, in Philadelphia, to amend their charter of incorporation;" was read the second time, as reported by a committee of the whole on the 26th ult. considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled**

**"An act for the improvement of the State."**

**And after some time,**

**The committee rose, reported progress and obtained leave to sit again to-morrow.**

**The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, viz.**

**"A supplement to an act entitled "An act to promote the comfort of the Poor."**

**"An act supplementary to an act entitled "An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon to Pittsburg."**

**He returned the bill entitled**

**"An act explanatory of the act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill;" and informed, that the House of Representatives have passed the same without amendment.**

The bills presented for concurrence were severally read the first time.

On motion of Mr. Davidson and Mr. Gresh,

Ordered, That when the Senate adjourns, it will adjourn to meet at three o'clock this afternoon, and that that be the stated hour of meeting on the afternoon of each day until otherwise ordered.

Adjourned until that hour.

### **SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill entitled

"An act providing for the erection of a State Penitentiary within the city and county of Philadelphia."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow afternoon.

On motion of Mr. Markley and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey real estate."

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Barnard and Mr. Smith,

The rule for going into a committee of the whole, being in this case dispensed with, the bill entitled

"A supplement to the act establishing an Academy in Chester County, passed the thirtieth of March, one thousand eight hundred and eleven;" was read the second time, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Raguet and Mr. Power,

The Senate again resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill entitled

“An act for the relief of Witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at Court.”

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Willett and Mr. Conyngham,

The Senate resumed the third reading and consideration of the bill entitled

“An act to extend the boundaries of Union County;” postponed for the present on the 17th ult.

The question recurring,

Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

On motion of Mr. Davidson and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill entitled

“A supplement to the act entitled “An act directing the formation of a Map of Pennsylvania.”

And after some time,

The committee rose, and reported said bill without amendment.

On motion of Mr. Cochran and Mr. Piper,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill entitled

“An act to confirm certain proceedings in the Orphans’ Court of Lancaster county, and for other purposes.”

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Sawyer and Mr. Breck,

The Senate again resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill from the House of Representatives, entitled

“An act authorising the Corporation of the borough of Harrisburg to supply the said borough with water out of the river Susquehanna and for other purposes.”

And after some time,

The committee rose and reported said bill with amendments.

Adjourned until 9 o’clock to-morrow morning.

**TUESDAY, March 6, 1821.**

Mr. Hubley presented a petition from sundry inhabitants of Berks county, praying that aid may be granted to certain turnpike road companies; and

The same was read and laid on the table.

Mr. Grosh, from the committee on banks, reported a bill entitled

"A supplement to an act entitled "An act authorising the Governor of this commonwealth to incorporate a company for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia;" which was read the first time.

Mr. Barnard, from the committee on the militia system, reported a bill entitled

"An act for the regulation of the Militia of this Commonwealth;" which was read the first time.

Mr. Eyster, from the committee to whom was referred, on the 21st ult. a petition from sundry inhabitants of this Commonwealth, for the establishment of a Loan-Office, on leave given, reported a bill entitled

"An act establishing a Loan-Office for the relief of the citizens of this Commonwealth;" which was read the first time.

Mr. Hill, from the committee to whom was referred, on the 26th ult. a petition from Hezekiah Niles, on leave given, reported a bill entitled

"An act to enable Hezekiah Niles, of the city of Baltimore, to dispose of certain books of his own compilation and manufacture, by way of Lottery;" which was read the first time.

The bill entitled

"An act to authorise the Roman Catholic Society, worshipping at the church of St. Mary's, in Philadelphia, to amend their charter of incorporation;" was read the third time; and

Resolved, That it pass.

The bill entitled

"A supplement to the act establishing an Academy in Chester county, passed the thirtieth March, eighteen hundred and eleven;" was read the third time; and



**Resolved, That it pass.**

**Ordered, That the clerk present said bills to the House of Representatives for their concurrence.**

**The bill entitled**

**"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey real estate;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**The bill entitled**

**"An act for the relief of Witnesses on the part of this Commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at court;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**The bill entitled**

**"An act to confirm certain proceedings in the Orphans' Court of Lancaster county, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**The bill from the House of Representatives, entitled**

**"An act authorising the corporation of the borough of Harrisburg, to supply the said borough with water, out of the river Susquehanna, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**The bill entitled**

**"A supplement to the act entitled "An act directing the formation of a Map of Pennsylvania;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**On motion of Mr. Davidson and Mr. Hurst,**

**The following resolution was twice read, considered and adopted, to wit:**

**"Resolved, That the president and treasurer of the Union Canal Company be, and they hereby are required to inform the**

Senate the present amount of the stock of the company, and what proportion of it is of the stock of the Delaware and Schuylkill Canal Navigation Company."

A motion was made by Mr. Breck and Mr. Willett, and read as follows, to wit:

"Resolved, That a synopsis of the statements of the receipts and expenditures of the several counties, furnished to the Senate by the county commissioners, in obedience to law, be published on the journal of the Senate."

Ordered, To lie on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the Improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

The clerk of the House of Representatives being introduced, presented for concurrence, the bill entitled

"A supplement to an act entitled "An act affording immediate relief to Michael Mullen, and granting him an annuity, passed the sixth day of February, eighteen hundred and ten;" which was read the first time.

He informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled

"A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, eighteen hundred and twelve."

The speaker laid before the Senate a letter from the Auditor-General, transmitting a report, in obedience to a resolution of the Senate, of the number of convicts and the expense of their transportation to the penitentiary of Philadelphia for the last ten years; which was read and laid on the table.

Adjourned until three o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill entitled

"A further supplement to an act entitled "An act granting a sum of money to aid in removing obstructions out of Sheerman's Creek."

And after some time,

The committee rose and reported said bill without amendment.

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cochran in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Thomas Laird."

And after some time,

The committee rose and reported said bill without amendment.

On motion,

Said bill was read the second time.

The section was considered and agreed to.

The preamble was disagreed to.

The title being agreed to;

Ordered, That said bill be prepared for a third reading.

On motion of Mr. M'Meens and Mr. Power,

The Senate resumed the second reading and consideration of the bill, entitled

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's Mill, in Loyalsock township, to Hogland's Mill, in Elkland township;" postponed for the present on the 27th ult.

Section one recurring, was considered and agreed to.

The remaining sections and title were severally considered and agreed to; and

**Ordered, That said bill be transcribed for a third reading.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill from the House of Representatives, entitled**

**"An act for the relief of William Strickland, of the city of Philadelphia."**

**And after some time,**

**The committee rose and reported the bill disagreed to.**

**On the question,**

**Will the Senate agree to said report?**

**A motion was made by Mr. Breck and Mr. Grosh,**

**To postpone the further consideration of the said question and bill, for the present, which was agreed to.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled**

**"A supplement to an act entitled "An act to alter and amend the Fee-Bill."**

**And after some time,**

**The committee rose, reported progress and asked leave to sit again.**

**Whereupon,**

**A motion was made by Mr. M'Meens and Mr. Markley,**

**To re-commit said bill to the committee on the judiciary system, which was agreed to.**

**Agreeably to order,**

**The Senate again resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill entitled**

**"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia."**

**And after some time,**

**The committee rose, and reported said bill with amendments.**

**On motion of Mr. Wallace and Mr. Power,**

**The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill entitled**

**"An act concerning Partnerships."**

**And after some time,**

**The committee rose, reported progress and asked leave to sit again.**

**Whereupon,**

**A motion was made by Mr. Raguet and Mr. M'Meens,**

To discharge the committee of the whole from any further consideration of said bill, and to re-commit the same to a special committee, which was agreed to; and

Ordered, That Mr. Raguet, Mr. Wallace and Mr. Hubley be the committee.

On motion of Mr. M'Meens and Mr. Power,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of James M'Ghee and others.

And after some time,

The committee rose and reported said bill with one amendment.

On motion of Mr. Power and Mr. Hurst,

The Senate resumed the consideration of the report of the committee of the whole, disagreeing to the bill from the House of Representatives, entitled

"An act authorising Jacob Beer to execute a certain deed of conveyance therein mentioned;" postponed for the present on the 5th of January.

The question recurring,

Will the Senate agree to said report?

It was determined in the negative.

Adjourned until 9 o'clock to-morrow morning.



## WEDNESDAY, March 7, 1821.

Mr. Cadwallader presented a petition from sundry inhabitants of Bucks county, praying that measures may be adopted by the legislature to connect the waters of the rivers Schuylkill and Susquehanna, by means of a canal;" and

The same was read and laid on the table.

Mr. M'Meens presented a petition from sundry inhabitants of the townships of Loyalsock and Elkland, in the county of

**Lycoming, praying that the road taxes assessed, or to be assessed for the present, and three succeeding years, on the unseated lands lying within the townships aforesaid, may be appropriated to opening a road laid out between Carpenter's and Hogland's mills; and**

**The same was read and laid on the table.**

**Mr. Cochran presented three remonstrances of similar tenor from sundry inhabitants of the townships of Charlestown and Pikeland, in Chester county, against the passage of a law to erect the said townships into a separate election district; and**

**The same were read and laid on the table.**

**Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report, which was read as follows, to wit:**

**That in conjunction with a similar committee from the House of Representatives, they have compared, and on the 5th instant, presented to the Governor, for his approbation, the bills and resolutions entitled as follow, to wit:**

**"An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company."**

**"An act to incorporate the Widows' Society of Bethlehem."**

**"An act for the relief of sundry Soldiers of the Revolutionary War."**

**"A further supplement to an act entitled "An act authorising the Governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg."**

**"An act extending an act entitled "An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the counties of Delaware, Bucks, Luzerne and Mifflin."**

**"An act for the relief of the Public School of Germantown, in the county of Philadelphia."**

**"An act to vest in Bridget Cooper the right of this Commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased."**

**"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Rev. Theodore Browers, deceased."**

**"An act to ratify and confirm acts and proceedings of the Stockholders of the Washington Bank, and for other purposes."**

**"An act more effectually to restrain Gunners, and for other purposes."**

"An act explanatory of the act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill."

"Resolution authorising the Governor to deliver to any authorised agent or officer, any arms or other property of the United States, which may have come into the possession of this state during the late war."

"Address to the Governor for the removal from office of James M'Clellan, a justice of the peace of Chester county."

Ordered, To lie on the table.

The bill entitled

"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey real estate;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act for the relief of Witnesses on the part of this Commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at Court;" was read the third time; and

Resolved, That it pass.

The bill entitled

"A supplement to the act entitled "An act directing the formation of a Map of Pennsylvania;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act to confirm certain proceedings of the Orphans' Court, of Lancaster county, and for other purposes;" was read the third time; and

Resolved, That it pass.

The bill entitled

"A further supplement to an act entitled "An act granting a sum of money to aid in removing obstructions out of Sheerman's Creek;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's mill in Loyalsock township, to Hogland's mill in Elkland township;" was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk present said bills to the House of Representatives, for their concurrence.**

**The bill from the House of Representatives, entitled**

**"An act authorising the Corporation of the borough of Harrisburg, to supply the said borough with water out of the river Susquehanna, and for other purposes;" was read the third time: and**

**Resolved, That it pass.**

**The bill from the House of Representatives, entitled**

**"An act for the relief of Thomas Laird;" was read the third time; and**

**Resolved, That it pass.**

**Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.**

**The bill entitled**

**"An act to provide for the erection of a State Penitentiary, within the city and county of Philadelphia;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be transcribed for a third reading.**

**The bill from the House of Representatives, entitled**

**"An act for the relief of James M'Ghee, and others;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**The bill from the House of Representatives, entitled**

**"An act to authorise Jacob Beer to execute a certain deed of conveyance, therein mentioned;" was read the second time.**

**Section one having been considered.**

**On the question,**

**Will the Senate agree to said section?**

**The yeas and nays were required by Mr. Grosh and Mr. Davidson, and are as follow, to wit:**

**YEAS.**

**Messrs. Hill.**

**Hurst,**

**Markley,**

**YEAS.**

**Messrs. M'Meens,**

**Power,**

**Marks, speaker,**

**6**



## NAYS.

Messrs. Allshouse,  
 Alter,  
 Cadwallader,  
 Cochran,  
 Coleman,  
 Conyngham,  
 Davidson,  
 Dickerson,  
 Eichelberger,  
 Eyster,  
 Feger,

## NAYS.

Messrs. Grosh,  
 Hubley,  
 Leib,  
 M'Mullin,  
 Piper,  
 Raguett,  
 Sawyer,  
 Wallace,  
 Willett,  
 Winter,

21.

So it was determined in the negative, and the bill lost.

A motion was made by Mr. Hill and Mr. Power, and read as follows, to wit:

"Resolved, That the Auditor-General be, and he is hereby required to make and transmit to the next legislature, within one month of its meeting, an abstract statement of all the monies which have been appropriated by the legislature, to be paid out of the state treasury, since the establishment of the constitution of 1776. Likewise, all sums which have been authorised to be subscribed for stock, designating the kind of stock, and particularly specifying the county to which each appropriation and subscription has been authorised to be made and paid; also, setting forth the several sums which have been relinquished in favor of each county in the state, including taxes, loan-office debts, &c. And also, the losses which the treasury has sustained by the defalcation of bodies corporate, individuals or otherwise, (viz.) A statement showing in a plain manner the amount of state funds which each county has received since the establishment of the state-government, by appropriations, subscriptions and relinquishments, of whatever nature or kind the same may have been; and also, the losses the treasury has sustained by defalcations of any description.

"Resolved, That the Secretary of the Land-Office be, and he is hereby required to make and transmit to the next legislature, within one month of its first assemblage, an abstract statement of all lands and lots of ground, (except grants to officers and soldiers of the revolutionary war, their widows and heirs, and releases on escheated estates), which has been granted or appropriated, or the title to which have been released by the legislature, or by virtue of any law of the legislature, since the establishment of the state government, particularly designating

the object of each grant or appropriation, when made, and the county, institution or individual to be benefited thereby."

Ordered, To lie on the table.

A motion was made by Mr. Davidson and Mr. Cadwallader, and read as follows, to wit:

"Resolved, That the speaker draw his warrant on the State-Treasurer, in favor of William F. Buyers, the printer of the journal of the Senate in the English language, for one hundred dollars, he to account for the same in the settlement of his account."

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

On motion of Mr. M'Meens and Mr. Wallace,

The Senate resumed the second reading and consideration of the resolution relative to the Library Committee, postponed for the present on the 6th of January.

The amendment then proposed recurring, was considered and agreed to.

A motion was then made by Mr. Barnard and Mr. Markley,

To amend said resolution, by striking out all that follows the enacting clause, and by inserting in lieu thereof the following words, to wit:

"That the chairman of the Library Committee, who received from the State-Treasurer, in the months of March, 1819 and 1820, the sum of \$1200, under the act entitled "An act to provide for the better preservation and increase of the Library of this Commonwealth," report to the Senate a statement of the accounts of said committees, designating particularly how much of said money has been paid to the librarian, how much has been expended in the purchase of books and maps, with a catalogue thereof, and the prices of the same, and whether any, and if any, what sum yet remains unexpended.

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the resolution as amended was then adopted.

Ordered, That the clerk present said resolution to the House of Representatives for their concurrence.

On motion of Mr. Wallace and Mr. Willett,

The Senate proceeded to the second reading and consideration of the resolution from the House of Representatives

"Requiring the Secretary of the Commonwealth to furnish certain members of the legislature with a copy of Smith's edition of the Laws of Pennsylvania."

And the same being under consideration:

A motion was made by Mr. Grosh and Mr. Davidson,

To postpone the further consideration of the same, for the present, which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the Improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

"An act supplementary to an act appropriating the monies arising from fines and forfeitures, to county purposes."

"An act to enable Abraham Rinehart and Isaac Rinehart, administrators of John Rinehart, deceased, to sell certain real estate of the intestate."

He returned the bill entitled

"An act establishing a Fifteenth Judicial District.

And informed, that the House of Representatives have passed said bill without amendment.

The bills presented for concurrence were read the first time.

Adjourned until three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Fry in the chair, on bill entitled

"An act to alter the second Judicial District."

And after some time,  
The committee rose and reported the first section of the bill disagreed to.

On the question,  
Will the Senate agree to said report?

The yeas and nays were required by Mr. Smith and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Breck, Cadwallader, Cochran, Coleman, Conyngham, Fry, Grosh, Hurst,	Messrs. Leib, M'Meens, M'Mullin, Power, Sawyer, Willett, Winter, Marks, Speaker.
	17
NAYS.	NAYS.
Messrs. Alter, Barnard, Davidson, Eichelberger, Eyster,	Messrs. Hubley, Markley, Raguet, Smith, Wallace,
	10

So it was determined in the affirmative, and the bill lost.

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Eyster in the chair, on the bill entitled  
"An act to establish a sixteenth judicial district."

And after some time,  
The committee rose and reported the first section of the bill disagreed to.

On the question,  
Will the Senate agree to said report?  
It was determined in the affirmative, and the bill lost.

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Eichelberger in the chair, on the bill from the House of Representatives, entitled  
"A further supplement to an act entitled "An act authorising the governor to incorporate two companies, for making an artifi-

cial road from the city of Pittsburg through Butler and Mercer to Meadville "

And after some time,

The committee rose and reported said bill without amendment.

On motion,

Said bill was read the second time, considered by section, and agreed to; and

Ordered, that it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Grosh in the chair, on the bill from the House of Representatives, entitled

"An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Hubley and Mr. Feger,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill entitled

"An act supplementary to an act entitled "An act to raise and collect county rates and levies."

And after some time,

The committee rose, and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the negative.

On motion of Mr. Cochran and Mr. Piper,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill entitled

"An Act for the relief of persons holding lands mortgaged to the commonwealth."

And after some time,

The committee rose, and reported said bill without amendment.

Adjourned until 9 o'clock to-morrow morning.

**THURSDAY, March 8, 1821.**

Mr. Hubley presented a remonstrance from sundry inhabitants of Friedensburg, in the county of Schuylkill, against changing the place of holding their elections; and

The same was read and laid on the table.

The speaker laid before the Senate a letter from the secretary of the Philadelphia Saving Fund Society, together with a statement of the affairs of said society, which were read as follows, to wit:

*Office of the Philadelphia Saving Fund  
Society, Philad. March 6, 1821.*

*To the honorable the speaker of the Senate of the Commonwealth  
of Pennsylvania.*

SIR,

In compliance with the law incorporating the Philadelphia Saving Fund Society, a copy of the report of the auditors, appointed by the board of managers of said society, is herewith transmitted.

By order of the Managers,

**GEORGE BILLINGTON, Sec'y.**

*State of the Philadelphia Saving Fund Society, Jan-  
uary 1, 1821.*

	DR.	CR.
To amount received of 1445 depositors, from 2d December, 1816, up to this date,	\$191,728 72	
To amount of interest on the accounts of the depositors, up to this day, remaining to their credit,	5,733 18	
By amount of deposits returned,		75,191 58
By the following investments, to wit:		
In mortgages,		51,881 81
City loans, for paving streets,		2,150 56
City Fair Mount loan,		1,600 00
City five per cent. loan,		15,500 00
United States' 5 per cent. loan of 1820,		10,000 00

The following United States'  
loans at 6 per cent. viz.

Loans of 1812,	\$16,584 97	17,160 66
Loans of 1813,	22,775 11	23,254 54
Loan of 1815,	800 00	816 00

---

\$40,160 08

By amount of interest on investments,  
up to this day, not yet received, 2,283, 54

By balance in bank to meet payments  
to depositors, who have given notice  
of withdrawal 216 72

To balance, being a contingent fund, 2,593 55

---

\$200,055 45 \$200,055 45

Philadelphia, Jan. 1, 1821.

GEO. BILLINGTON, *Treasurer.*

Confirmed, Feb. 20, 1821.

SAMUEL SPACKMAN,	} Committee of accounts.
MATTHEW C. RALSTON,	
C. N. BANCKER,	

We the undersigned auditors, appointed by the managers of the Philadelphia Saving Fund Society, in conformity with the thirteenth article of the act of incorporation, having examined the books and vouchers of the said society, do hereby certify that the above statement is correct.

DANIEL SMITH,  
JOSEPH P. NORRIS,  
THOMAS M'EWEN.

The amount of the balances to the credit of depositors on the first January 1821, as appears by the above account, is \$122,270 32. Of these balances there are,

111 under ten dollars.  
196 from ten to thirty dollars.  
198 from thirty to sixty dollars.  
128 from sixty to one hundred dollars.  
265 from one hundred to three hundred dollars.  
74 from three hundred to five hundred dollars.  
48 above five hundred dollars.

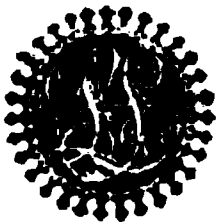
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1020 accounts.

Of the above 1020 depositors there are,

346 Servants.  
 122 Widows,  
 188 Minors, (apprentices and others) and depositors  
 for them.  
 88 Mechanics.  
 80 Laborers.  
 73 Spinsters.  
 44 Farmers.  
 41 Societies.  
 29 Traders.  
 29 Executors, guardians and other trustees.  
 16 Clerks.  
 9 Sailors.  
 8 Teachers.  
 5 Artists.  
 5 Musicians.  
 2 Physicians.  
 2 Gardeners.  
 2 Ministers.  
 1 Attorney at law.

These are to certify, That the foregoing account is a just and true copy of the original report, made by the auditor appointed by the managers of the Philadelphia Saving Fund Society, of the state of the said society, up to the first day of January, A. D. 1821.



IN WITNESS WHEREOF, I have hereunto set my hand, and caused the corporate seal of the said society to be hereunto affixed.

ANDREW BAYARD, *President.*

Attest.

GEO. BILLINGTON, *Secretary.*

Ordered, To lie on the table.

Mr. Barnard, from the committee to whom was referred, on the 3d instant, the petition of Casper Snyder and John Urmey, on leave given, reported a bill entitled

"An act to authorise the trustees of Leonard Walter, to borrow money on mortgage;" which was read the first time.

Mr. Markley, from the committee on the Judiciary System, reported a bill entitled

"An act to alter the second Judicial District;" which was read the first time.



The bill entitled

"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia;" was read the third time; and

Resolved, That it pass.

On motion of Mr. Coleman and Mr. Hubley,

The bill entitled

"An act relative to Guardians of Minor children;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Grosh and Mr. Allshouse, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Coleman, Conyngham, Eichelberger, Eyster, Fry, Hill, Hubley,	Messrs. Hurst, Leib, Markley, M'Mullin, Raguet, Sawyer, Wallace,
	15
NAYS.	NAYS.
Messrs. Allshouse, Alter, Breck, Cadwallader, Cochran, Dickerson, Feger,	Messrs. Grosh, M'Meens, Piper, Smith, Winter, Marks, speaker,
	13

So it was determined in the affirmative.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act authorizing the Governor to incorporate two companies for making an artificial road from the city of Pittsburg through Butler and Mercer, to Meadville;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act for the relief of James M'Ghee and others;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the former without and the latter with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill entitled

"An act supplementary to an act entitled "An act to raise and collect county rates and levies;" was read the second time, as reported by a committee of the whole yesterday"

Section one having been considered.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Markley and Mr. M'Meens, and are as follow, to wit:

YEAS.

Messrs. Breck,  
Cochran,  
Dickerson,  
Hill,

NAYS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Cadwallader,  
Coleman,  
Conyngham,  
Eichelberger,  
Eyster,  
Feger,  
Fry,  
Grosh,

YEAS.

Messrs. Hubley,  
Leib,  
M'Mullin,  
Wallace,

8

NAYS.

Messrs. Hurst,  
Markley,  
M'Meens,  
Piper,  
Raguet,  
Sawyer,  
Smith,  
Willett,  
Winter,  
Marks, speaker,

21

So it was determined in the negative,

Section two was considered and disagreed to, and the bill lost.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and resolution, and desired the Secretary of the Commonwealth to return the same to the Houses in which they originated.

"An act to ratify and confirm acts and proceedings of the Stockholders of the Washington Bank, and for other purposes."

"An act to vest in Bridget Cooper the right of this Commonwealth to the estate of William Waterhouse, formerly of Delaware county, deceased."

"An act for the relief of the Public School of Germantown, in the county of Philadelphia."

"An act to vest two tracts of land, in Westmoreland county, in trustees for the uses of the last will of the Rev. Theodore Browsers, deceased."

"An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company."

"An act for the relief of sundry Soldiers of the Revolutionary War."

"An act to incorporate the Widows' Society of Bethlehem."

"A further supplement to an act entitled 'An act authorising the Governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg to Pittsburg.'"

"An act extending an act entitled 'An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the counties of Delaware, Bucks, Luzerne and Mifflin.'"

"An act explanatory of the act for the better regulation of the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill."

"An act more effectually to restrain Gunners, and for other purposes."

"A Resolution directing the Governor to cause to be delivered to any officer or agent properly authorised to receive the same, any arms or other property of the United States, which may have come into the possession of this state in the late war with

Great Britain, on application being made therefor by such agent or officer."

JOSEPH HIESTER.

March 7, 1821.

Ordered, To lie on the table.

The bill entitled

"An act for the relief of persons holding lands mortgaged to the Commonwealth;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

On the question,

Shall this bill be transcribed for a third reading?

The yeas and nays were required by Mr. Dickerson and Mr. Wallace, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Eichelberger, Feger, Fry, Grosh,	Messrs. Hubley, Hurst, Leib, M'Mullin, Piper, Power, Raguet, Sawyer, Willett, Winter,
	21
NAYS.	NAYS.
Messrs. Allshouse, Alter, Dickerson, Hill,	Messrs. Markley, Smith, Wallace, Marks, Speaker.
	8

So it was determined in the affirmative.

Mr. Raguet, from the committee to whom was re-committed, on the 6th instant, the bill entitled

"An act concerning Partnerships;" on leave given, reported at this time, the said bill with amendments, which were read.

On motion of Mr. Grosh and Mr. Hubley,

Ordered, That when the Senate adjourns, it will adjourn until half-past three o'clock this afternoon, and that that be the

standing hour of meeting in the afternoon of each day until otherwise ordered.

The clerk of the House of Representatives being introduced, presented for concurrence, a bill entitled

"A further supplement to an act entitled "An act to provide for the education of children at the public expense, within the the city and county of Philadelphia."

And informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled "An act for the relief of Thomas Laird."

The bill presented for concurrence was read the first time.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill entitled

"An act for the improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again.

On the question,

At what time, shall the committee sit again?

To-morrow and this afternoon being named.

On the question,

Shall the committee sit again to-morrow?

The yeas and nays were required by Mr. Hubley and Mr. Markley, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Breck,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Fry,  
Grosh,

YEAS.

Messrs. Hill,  
Hurst,  
Markley,  
M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Willett,  
Winter,

23.

NAYS.

Messrs. Hubley,  
M'Mullin,

NAYS.

Mr. Marks, speaker,

3.

So it was determined in the affirmative.

A motion was then made by Mr. Breck and Mr. Cadwallader, To discharge the order of the day for to-morrow, so far as respects the aforesaid bill, and that it be an order for this afternoon.

Whereupon,

A motion was made by Mr. Davidson and Mr. Markley, That the Senate adjourn; and

On the question,  
Will the Senate adjourn?

The yeas and nays were required by Mr. Hubley and Mr. Eichelberger, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Hill,	
Alter,		Hurst,	
Barnard,		Markley,	
Cadwallader,		M'Meens,	
Cochran,		M'Mullin,	
Coleman,		Piper,	
Conyngham,		Sawyer,	
Davidson,		Smith,	
Eichelberger,		Willett,	
Eyster,		Winter,	
Fry,			21
NAYS.		NAYS.	
Messrs. Breck,		Messrs. Power,	
Grosh,		Wallace,	
Hubley,		Marks, Speaker,	6

So it was determined in the affirmative; and

The Senate adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hubley in the chair, on the bill from the House of Representatives, entitled

**"An act authorising the Governor to appoint commissioners to view and lay out a road from Waterford, in Mifflin county, to Mexico, upon the Juniatta, in Fermanagh township in the said county."**

And after some time,

The committee rose, reported progress and obtained leave to sit again on Thursday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill from the House of Representatives, entitled

**"An act authorising George Miller and others to drain a certain swamp in the county of Dauphin."**

And after some time,

The committee rose and reported said bill with one amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leib in the chair, on the bill entitled

**"An act to prevent the cutting of timber."**

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill entitled

**"An act repealing the act laying a tax on dogs, so far as the same relates to Greene county;"** was read the second time.

The section being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To amend the same, by making the word "county," in line seven, read "counties," and by adding after the word "Greene," the words "and Fayette," which was agreed to, and the section as amended was then agreed to.

The title was agreed to after being amended, by striking out all that follows the word "relates," and by inserting in lieu thereof the words "to the counties of Greene and Fayette."

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

**"A supplement to an act entitled "An act erecting part of Cumberland county into a separate county, to be called Perry;"**

was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

"A supplement to an act to encourage the apprehension of persons who shall have committed the crime of Horse-Stealing;" was read the second time.

Section one being under consideration:

A motion was made by Mr. Smith and Mr. Davidson,

To postpone the further consideration of the same, together with the bill, until to-morrow, which was agreed to.

On motion of Mr. Alter and Mr. Winter,

The Senate resumed the second reading and consideration of the bill entitled

"An act compensating William Power, of Perry county, for services rendered;" postponed for the present, on the 28th of February.

Section one recurring, was considered and agreed to.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

On motion of Mr. Conyngham and Mr. Power,

Ordered, That the bill entitled

"An act to discourage fraudulent Insolvencies;" be committed to the committee on the judiciary system.

Adjourned until 9 o'clock to-morrow morning.

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FRIDAY, March 9, 1821.

Mr. Conyngham presented three petitions of similar tenor from sundry inhabitants of Columbia county, praying that a law may be passed to authorise the Governor to appoint commissioners to lay out a state road from the town of Catawissa, to inter-



sect the Centre turnpike road, at or near the Mahanoy bridge; and

Said petitions were read, and referred to the committee on roads, bridges and inland navigation.

The bill from the House of Representatives, entitled

"An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"A supplement to an act entitled "An act erecting part of Cumberland County into a separate county, to be called Perry;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, without amendment.

The bill entitled

"An act repealing the act laying a tax on dogs, so far as the same relates to the counties of Greene and Fayette;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act for the relief of persons holding lands mortgaged to the commonwealth;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act compensating William Power, of Perry county, for services rendered;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Grosh and Mr. Davidson, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Breck  
Coleman,  
Conyngham,  
Dickerson,

YEAS.

Messrs. M'Meens,  
Piper,  
Power,  
Raguet,  
Sawyer,  
Smith,

YEAS.	YEAS.
Messrs. Eyster, Fry, Hill, Hubley,	Messrs. Wallace, Willetts. Marks, Speaker.
	19.
NAYS.	NAYS.
Messrs. Cadwallader, Cochran, Davidson, Eichelberger, Feger, Grosh,	Messrs. Hurst, Leib, Markley, M'Mullin, Winter,
	11

So it was determined in the affirmative.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled

"An act authorising George Miller and others, to drain a certain swamp in the county of Dauphin;" was read the second time, as reported by a committee of the whole yesterday.

The section being under consideration:

A motion was made by Mr. Markley and Mr. Grosh,

To amend the same, by adding to the end thereof the following words, viz.

"Which shall be ascertained by three disinterested persons, to be appointed by the Court of Common Pleas, on application of the party injured, whose report shall have the same effect as the report of referees under the act of 1705," which was agreed to, and the section as amended was then agreed to.

The title being agreed to.

Ordered, That it be prepared for a third reading.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, together with the documents therein referred to, which were read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I herewith transmit copies of a letter from His Excellency the Governor of the state of Maryland, together with the accompanying report, and resolutions entered into and adopted

by the General Assembly of that state, at their late session, relative to appropriations of public land, for the purposes of education, in which the co-operation of the legislature of this state is solicited, towards the attainment of the objects therein contemplated.

JOSEPH HIESTER.

*Harrisburg, March 8, 1821.*

*To His Excellency the Governor of the  
State of Pennsylvania.*

*Council Chamber, Annapolis,  
February 16, 1821.*

SIR,

I am directed to transmit to your excellency the accompanying report and resolutions entered into and adopted by the General Assembly of Maryland at their late session; and to request that your Excellency will have the goodness to lay the same before the legislature of your state at the earliest possible period—whose co-operation is most respectfully solicited towards the attainment of the objects therein contemplated.

I have the honor to remain,

Your Excellency's most obedient fellow citizen,

SAMUEL SPRIGG.

*Report, with sundry Resolutions relative to Appropriations of  
Public Land, for the purposes of Education, to the State  
of Maryland, January 30th, 1821.*

### REPORT, &c.

The committee to whom was referred so much of the Governor's Message, as relates to education or public instruction, beg leave to report:—

That they concur with his excellency, in believing education and a general diffusion of knowledge in a government, constituted like ours, to be of great importance, and that in proportion, as the structure of a government gives weight to public opinion, it is essential that public opinion should be enlightened. Your committee consider our government as emphatically a government of opinion. A general diffusion of knowledge, which is essential to its right administration, cannot be effected unless the people are educated. No high degree of civilization; of moral power and dignity; or of intellectual excellence; no superiority in science, in literature, or in liberal and useful arts, which constitutes the noblest national supremacy, can be attained without the aid of seminaries of learning. The establish-

ment of literary institutions, then, of all grades, from the common school up to the university, becomes the first duty of the legislature of a free people.

Your committee are well aware of the difficulty in the present embarrassed state of our pecuniary concerns, of providing the means of making education general. They are fully sensible, that at this time large appropriations out of the public treasury for this purpose, all important as it is, cannot be expected. They deem it therefore their duty to recall to your notice a report, and certain resolutions presented to the Senate at the last session, by a committee of a like nature with the present, which has been referred to your committee, as a report of the unfinished business. The object of those resolutions was to call the attention of Congress, and the legislatures of the several states to the public lands, as a fund from which appropriations for the purposes of education, may with justice be claimed, not only by Maryland, but all the original states, and three of the new ones.

One thirty-sixth part of all the states and territories, (except Kentucky), whose waters fall into the Mississippi, and the Gulf of Mexico, has been appropriated by congress, wherever the Indian title has been extinguished, and provisions made for further appropriations according to the same ratio, wherever the Indian title may hereafter be extinguished, for the support of common schools, and other large appropriations have been made for the support of seminaries of a higher grade. Your committee are of opinion that the states for whose benefit no such appropriations have been made, are entitled to ask them of congress, not as a matter of favor, but of justice. That this may more fully appear, especially as the right of those states to an equal participation with the states formed out of the public lands, in all the benefits derived from them has been doubted, your committee have deemed it proper to take a cursory view of the manner, in which they have been acquired.

Before the war of the revolution, and indeed for some years after it, several of the states possessed within their nominal limits extensive tracts of waste and unsettled lands. These states were all at that epoch, regal, and not proprietary provinces, and the crown either directly, or through the medium of officers whose authority had been prescribed, or assented to by the crown, was in the habit of granting those lands. The right of disposing of them was claimed and exercised by the crown in some form or other. They might therefore with strict propriety be called the property of the crown.

A question arose soon after the declaration of independence, whether those lands should belong to the United States, or to

the individual states, within whose nominal limits they were situated. However that question might be decided, no doubt could be entertained that the property and jurisdiction of the soil, were acquired by the common sword, purse and blood of all the states, united in a common effort. Justice therefore demanded, that, considered in the light of property, the vacant lands should be sold to defray the expenses incurred in the contest by which they were obtained; and the future harmony of the states required, that the extent and ultimate population of the several states, should not be so disproportionate, as they would be, if their nominal limits should be retained.

This state as early as the 30th of October, 1776, expressed its decided opinion in relation to the vacant lands, by an unanimous resolution of the convention which framed our constitution and form of government, in the following words, viz. "Resolved unanimously, That it is the opinion of this convention, that the very extensive claim of the state of Virginia, to the back lands, hath no foundation in justice, and that if the same, or any like claim is admitted, the freedom of the smaller states, and the liberties of America, may be thereby greatly endangered; this convention being firmly persuaded, that if the dominion over those lands should be established by the blood and treasure of the United States, such lands ought to be considered as a common stock, to be parcelled out at proper times, into convenient, free and independent governments."

In the years 1777 and 1778, the general assembly, by resolves and instructions to their delegates in congress, expressed their sentiments in support of their claim to a participation in these lands, in still stronger language, and declined acceding to the confederation, on account of the refusal of the states claiming them exclusively, to cede them to the United States. They continued to decline on the same grounds until 1781, when, to prevent the injurious impression, that dissention existed among the states, occasioned by the refusal of Maryland to join the confederation, they authorised their delegates in congress to subscribe the articles; protesting however at the same time, against the inference (which might otherwise have been drawn), that Maryland had relinquished its claims to a participation in the western lands.

Most of the other states contended on similar grounds, with those taken by Maryland, for a participation in those lands.

By the treaty of peace in 1783, Great Britain relinquished "to the United States, all claim to the government, property, and territorial rights of the same, and every part thereof."

The justice and sound policy of ceding the unsettled lands, urged with great earnestness and force by those states, which

had united in conquering them from Great Britain, strengthened by the surrender on the part of Great Britain, of her rights of property and jurisdiction, to the United States collectively, and aided moreover by the elevated and patriotic spirit of disinterestedness and conciliation which then animated the whole confederation, at length made the requisite impression upon the states, which had exclusively claimed those lands; and each of them, with the exception of Georgia, made cessions of their respective claims within a few years after the peace. Those states were Massachusetts, Connecticut, New-York, Virginia, North-Carolina and South-Carolina; the charters of which, with the exception of New-York, extended westwardly to the South-Sea or Pacific Ocean.

This circumstance gave to Massachusetts and Connecticut, a joint claim with Virginia, to such parts of what was then called the North-Western Territory, as came within the breadth of their respective charters. The rest of that territory lay within the limits of the charter of Virginia.

New-York, indeed, had an indefinite claim to a part of it.—Cessions however, from all these states, at length completed the title of the United States, and placed it beyond all controversy.

The state of North-Carolina ceded its claim to the territory which now constitutes the state of Tennessee.

Georgia, (whose charter also extended westwardly to the Pacific Ocean), at length, in 1802, ceded the territory which now constitutes the states of Mississippi and Alabama, except a small part on the south-side of them, which was acquired under the treaty ceding Louisiana. The conditions of that cession were, that the United States should pay one million two hundred thousand dollars to Georgia, and extinguish the Indian title within the limits which she reserved.

The United States have, in this manner, acquired an indisputable title to all the public lands east of the Mississippi.

All the territory west of the Mississippi, together with the southern extremity of the states of Mississippi and Alabama, was purchased of France, for fifteen millions of dollars. This sum as well as the sums required for the purchase of the Indian title to the public lands, was paid out of the treasury of the United States.

So far therefore as acquisition of public lands has been made by purchase, it has been at the common expense; so far as it has been made by war, it has been by the common force—and so far as it has been made by cessions from individual states, it has been upon the ground expressly stipulated in most of the acts or deeds of cession, that the lands should be “considered, to use the words of the act passed for that purpose, by the state

which made the largest cession," as a common fund for the use and benefit of such of the states, as have become, or shall become members of the confederation, or federal alliance of said states, according to their usual respective proportions, in the general charge and expenditure, and shall faithfully and bona fide, be disposed of for that purpose, and for no other use or purpose whatsoever.

In whatever point of view therefore, the public lands are considered, whether as acquired by purchase, conquest or cession, they are emphatically the common property of the union. They ought to enure therefore to the common use and benefit of all the states, in just proportions, and cannot be appropriated to the use and benefit of any particular state or states, to the exclusion of the others, without an infringement of the principles upon which cessions from states were expressly made, and a violation of the spirit of our national compact, as well as the principles of justice and sound policy.

So far as these lands have been sold, and the proceeds been received into the national treasury, all the states have derived a justly proportionate benefit from them: so far as they have been appropriated for purposes of defence, there is no ground for complaint; for the defence of every part of the country, is a common concern: so far, in a word, as the proceeds have been applied to national and not to state purposes, although the expenditure may have been local, the course of the general government has been consonant to the principles and spirit of the federal constitution. But so far as appropriations have been made in favor of any state or states, to the exclusion of the rest, where the appropriations would have been beneficial, and might have been extended to all alike. Your committee conceive there has been a departure from that line of policy which impartial justice, so essential to the peace, harmony and stability of the union, imperiously prescribes. Your committee then proceed to inquire whether the acts of congress in relation to appropriations of public lands, have been conformable to the dictates of impartial justice.

By the laws relating to the survey and sale of the public lands, one thirty-sixth part of them has been reserved and appropriated in perpetuity, for the support of common schools. The public lands are laid off into townships, six miles square, by lines running with the cardinal points; these townships are then divided into thirty-six sections, each a mile square, and containing 640 acres, which are designated by numbers. Section No. 16, which is always a central section, has invariably been appropriated, (and provision has been made by law for the like ap-



propriation in future surveys), for the support of common schools in each township.

In Tennessee, in addition to the appropriation of a section in each township for common schools, 200,000 acres have been assigned for the endowment of colleges and academies. Large appropriations have also been made in Ohio, Indiana, Illinois, Mississippi, Alabama, Louisiana, Missouri, Michigan and the North-Western Territory, for the erection and maintenance of seminaries of learning, of a higher grade than common schools. Your committee have not had an opportunity of ascertaining the exact amount of those appropriations, but from such examination as they have been able to make, it is believed that they bear a smaller proportion to those for common schools, than in Tennessee. Tennessee in Seybert's Statistical Annals, is stated to contain 40,000 square miles, which are equal to 25,600,000 acres. One 36th part of this number of acres, which is the amount of appropriations for common schools, is 711,111. The appropriation for colleges and academies in that state, is as above stated 200,000 acres, being something less than two sevenths of the common school appropriation. It is believed, that the appropriations in the other states and territories for seminaries of a higher grade do not amount to more than two tenths or one fifth of the appropriations for common schools.

Your committee think they will not be far from the truth, in estimating them at that proportion.

The states and territories east of the Mississippi, which have had appropriations made in their favor, for the support of literary institutions, that is to say, Ohio, Indiana, Illinois, Mississippi, Alabama, Michigan and the North-Western Territory, are estimated in Seybert's Statistical Annals,

To contain of unsold lands,	Acres, 200,000,000
Of land sold,	11,697,125
To which add Tennessee,	25,600,000

And the aggregate number of acres in those states and territories, will be	237,297,125
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One 36th part of that aggregate number being the amount of appropriations for common schools, is	6,591,586
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Add one fifth part of the common school appropriation, as the appropriation for colleges and academies,	1,318,317
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And the aggregate number of acres appropriated for the purposes of education, in Ohio, Indiana, Illinois, Tennessee, Mississippi, Alabama, Michigan and the North-Western Territory, will be	7,909,903
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At \$2 per acre, which is less according to Seybert's Statistical Annals than the average price of all the public lands which have heretofore been sold, the amount in money will be **\$15,819,808**

Seybert estimates the lands purchased of France, by the United States, in 1803, at **Acres 200,000,000**

By the laws relating to the survey and sales of lands in Louisiana, Missouri and Arkansas, appropriations of lands for the purposes of education have been made after the same ratio, as in the new states and territories, on the east of the Mississippi, and it is presumed the same policy will be adhered to, in relation to the whole of the public lands on the west of that river. On that supposition the appropriations for common schools, that is, one thirty-sixth part of 200,000,000 acres, will be **Acres, 5,555,555**

Add for colleges and academies one-fifth part of the appropriation for common schools, **1,111,111**

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And the aggregate number of acres will be **Acres, 6,666,666 2-3**

At two dollars per acre, the amount in money will be **\$13,333,333 1-3**

To the aggregate number of acres appropriated for the support of literary institutions on the east side of the Mississippi, **7,999,903**

Add the aggregate number of acres, which if the system heretofore followed, should be (as it ought to be) adhered to, will ultimately be appropriated to literary purposes on the west side of the Mississippi, **6,666,666 2-3**

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And the total of literary appropriation in the new States and territories will be **Acres 14,666,569 2-3**

At two dollars per acre, the amount in money will be **\$29,153,139 1-3**

Such is the vast amount of property, destined for the support and encouragement of learning in the states and territories, carved out of the public lands. These large appropriations of land, the common property of the Union, will enure to the exclusive benefit of those states and territories.—They are appropriations for state, and not national purposes; they are of such a nature, that they might have been extended to all the states; they therefore ought to have been thus extended. All the other states paid their full share for the purchase of the region west of the Mississippi, and for the extinguishment of the Indian title, on both

sides of that river. Massachusetts, Connecticut, Virginia, North Carolina, South Carolina and Georgia, besides paying their proportion of those expenses, ceded all their vacant territory on the east side of the Mississippi. All these states, therefore, might with great propriety complain of partiality and injustice, if their applications to Congress for similar appropriations for like purposes should be refused. But of this refusal they need have no apprehension, if they are true to their own interests, and are united in asserting them; for, if contrary to all reasonable expectation, the states, which have already received the benefit of literary appropriations, should be opposed to the extension of them to their sister states, the latter are more than two-thirds in number of all the United States, and have a still larger proportion of representatives in Congress. These states are Vermont, New-Hampshire, Maine, Massachusetts, Rhode-Island, Connecticut, New-York, New-Jersey, Pennsylvania, Delaware, Maryland, Virginia, North-Carolina, South-Carolina, Georgia and Kentucky, and together have one hundred and sixty-nine representatives in congress. The favored states, on the contrary, have only seventeen representatives. The excluded states have therefore an overwhelming majority in Congress, and have it completely in their power to make appropriations for the benefit of their literary institutions, upon the improbable supposition, that the representatives of the favored states would oppose them in Congress, a supposition too discretable to their character for justice, to be admitted.

The magnitude of the appropriations that would be required to place the states, which have not yet enjoyed any for the purposes of education, upon an equal footing with those in whose favor they have already been made, can afford no just ground of objection. For superior as the population of those states is, yet if the ratio of appropriation be observed with regard to them, which has been adopted in relation to the others, that is, one thirty-sixth part of the number of acres in the territory of each for common schools, and one fifth part of that one 36th for colleges and academies, the number of acres required will be much less than has already been given to the favored states and territories—it will indeed amount to but a very small portion of the public lands: for according to Seybert's Statistical Annals, those lands in 1813 amounted to 400,000,000 acres. The amount required for all the secluded states would be less than two and a half per centum, of that quantity: to show which, more clearly, your committee beg leave to submit the following statement, founded upon calculations made upon the extent of territory in each of those states, as laid down in Seybert's Statistical Annals :

New-Hampshire contains Acres, 6,074,240  
 One thirty-sixth part of that extent, being the number of acres of public land, to which that state is entitled for the support of common schools, is 168,728

One fifth part of that 36th to which New-Hampshire is entitled for the support of colleges and academies, is 33,745

Total for New-Hampshire, Acres, 202,473

Vermont contains Acres, 6,551,680  
 One thirty-sixth part for common schools, is 181,991

One fifth of one thirty-sixth for colleges and academies, 36,398

Total for Vermont, Acres, 218,389

Massachusetts, including Maine, contains 28,990,000  
 One thirty-sixth part for common schools, 805,277  
 One fifth of one thirty-sixth for colleges and academies, 161,055

Total for Massachusetts and Maine, Acres, 966,332

Rhode-Island contains 1,011,200 acres.  
 One thirty-sixth part for common schools, 28,088  
 One fifth of one thirty-sixth for colleges, 5,617

Total for Rhode-Island, Acres, 33,705

Connecticut contains 2,991,360 acres.  
 One thirty-sixth part for common schools, 83,093  
 One fifth part of one thirty-sixth for colleges and academies, 16,618

Total for Connecticut, Acres, 99,711

New-York contains 28,800,000 acres.  
 One thirty-sixth part for common schools, 800,000  
 One fifth of one thirty-sixth part for colleges and academies, 160,000

Total for New-York, Acres, 960,000

New-Jersey contains 5,324,800 acres  
 One thirty-sixth part for common schools, 144,577

One fifth of one thirty-sixth for colleges  
and academies,

28,917

Total for New-Jersey,

Acres, 173,494

Pennsylvania contains 29,872,000 acres.

One thirty-sixth part for common schools, 829,777

One fifth of one thirty-sixth for colleges  
and academies,

165,955

Total for Pennsylvania,

Acres, 995,732

Delaware contains 1,356,800 acres.

One thirty-sixth part for common schools, 37,688

One fifth of one thirty-sixth for colleges  
and academies,

7,537

Total for Delaware,

Acres, 45,225

Maryland contains 8,960,000 acres.

One thirty-sixth part for common schools, 248,888

One fifth of one thirty-sixth for colleges  
and academies,

49,777

Total for Maryland,

Acres, 298,665

Virginia contains 44,800,000 acres.

One thirty sixth part for common schools, 1,244,444

One fifth of one thirty-sixth for colleges  
and academies,

248,888

Total for Virginia,

1,495,332

North-Carolina contains 29,720,000 a-  
cres,

One thirty-sixth part for common schools, 825,555

One fifth of one thirty-sixth for colleges  
and academies,

165,111

Total for North-Carolina,

980,656

South-Carolina contains 15,411,200.

One thirty-sixth part for common schools, 428,088

One fifth of one thirty-sixth for colleges  
and academies,

85,617

Total for South-Carolina,

513,705

Georgia contains 39,680,000 acres.

One thirty-sixth part for common schools, 1,102,222  
 One fifth of one thirty-sixth for colleges  
 and academies, 220,444

Total for Georgia, A's. 1,322,666

Kentucky contains 32,000,000 acres.  
 One thirty-sixth part for common schools, 888,888  
 One fifth of one thirty-sixth for colleges  
 and academies, 177,777

Total for Kentucky, 1,066,665

Total amount of literary appropriation necessary  
 to do justice to the states which have not had  
 any, Acres, 9,370,760

The Senate will perceive from the foregoing calculations, that if the ratio of appropriation for the purposes of education, which has hitherto been observed, be adopted with respect to the sixteen states, which as yet have received no appropriations of that nature, a much smaller number of acres will be required, than has already been assigned to the western region of our country; it would be an inconsiderable portion of the aggregate of public lands; a much less quantity, indeed, than now remains unsold in any of the states, which have been formed out of them, with the exception perhaps of Ohio and Tennessee. The magnitude of the appropriations then, which equal justice now requires, cannot be considered as a reasonable objection to them, and as the literary appropriations that have heretofore been made, have been granted for state, and not for national purposes, according to the just principle set forth in the beginning of this report, similar appropriations ought to be extended to all the states.

The circumstance, that the lands which have heretofore been appropriated for the purposes of education, are a part of the territory of the states for whose benefit they had been assigned, can furnish no reasonable ground for the preference which has been given them.

The public lands are not the less the common property of all the states, because they are situated within the jurisdictional limits of the states and territories which have been formed out of them: such states have no power to tax them: they cannot interfere with the primary disposal of them; or with the regulations of Congress for securing the title to purchasers: it is in fact, congress alone, that can enact laws to affect them. The interest which a citizen of an Atlantic state has in them, as a part of

the property of the Union, is the same as the interest of a citizen residing in a state formed out of them.

But hitherto appropriations of them, for state purposes, have only been made in favor of such states; and the citizens on the eastern side of the Allegheny, may well complain, that property in which he has a common interest with his fellow citizens on the western side, should be appropriated exclusively to the use of the latter. That this is the fact, in regard of that part of the public lands, which have been assigned for the support of literary institutions and the promotion of education, cannot be denied.

Your committee do not censure the enlightened policy which governed congress in making liberal appropriations of land, for the encouragement of learning in the west, nor do they wish to withdraw one acre of them from the purposes to which they have been devoted; but they think, they are fully justified in saying, that impartial justice required that similar appropriations should have been extended to all the states alike. Suppose congress should appropriate 200,000 acres of the public lands for the support of colleges and academies in New-York; and Virginia, who gave up and ceded a great portion of those lands to the United States, on the express condition that "they should be considered as a common fund for the use and benefit of all of them, according to their usual respective proportions in the general charge and expenditure," should apply for a similar grant, and her application should be refused. Would she not have a right to complain of the partiality of such a measure, and to charge the federal government with a breach of good faith, and an infringement of the conditions on which the cession was made? It cannot be denied that she would. Congress have already made a grant of 200,000 acres of land for the support of colleges and academies, not indeed, in New-York, but in Tennessee.—Would not Virginia, if she now made an application for a like grant, and were refused, have the same reason to complain, as if New-York, instead of Tennessee, had been the favored state.

Your committee beg leave to illustrate by another example, the equity of the principle which it is the object of this report to establish. Foreign commerce and the public lands, are alike, legitimate sources from which the United States may, and do derive revenue. Foreign commerce has fixed its seat in the Atlantic states.

Suppose congress should pass a law appropriating one 56th part of the revenue collected from foreign commerce, in the ports of Baltimore, New-York, Boston, Norfolk, Charleston and Savannah, to the support of common schools throughout the states,

in which they are situated:—the other states, every person will admit, would have a right to complain of the partiality and injustice of such an act. And yet in what respect would an act appropriating one 36th part of the revenue, derived from foreign commerce to the use of schools in the six states, in which it should be produced, be more partial or unjust than an act appropriating one 36th part of the public land, in Ohio, Indiana, Illinois, Tennessee, Mississippi and Alabama, the six states in which the public lands on this side of the Mississippi are chiefly situated, to their exclusive benefit in the maintenance of their schools.

Your committee are aware, that it has been said, that the appropriation of a part of the public lands to the purposes of education, for the benefit of the states formed out of them, has had the effect of raising the value of the residue, by inducing emigrants to settle upon them. Although in the preambles of such of the acts on this subject, as have preambles, the promotion of religion, morality and knowledge, as necessary to good government and the happiness of mankind, have been assigned as the reason for passing them, and no mention has been made of the consequent increase in the value of the lands that would remain, as a motive for the appropriation, yet the knowledge, that provision had been made for the education of children in the west, though other motives usually influence emigrants, might have had its weight in inducing some to leave their native homes. If such has been the effect, the value of the residue of the lands has no doubt been increased by it. This increase of value however, has not been an exclusive benefit to the Atlantic states; but a benefit common to all the states, eastern and western, while the latter still enjoy exclusively the advantage, derived from the appropriations of land for literary purposes. The incidental advantage of the increase in value of the public lands, in consequence of emigration, if it is to be considered in the light of a compensation to the old states, must be shown to be an advantage exclusively enjoyed by them. That this however is not the case is perfectly obvious—because the proceeds of the lands, thus raised in value by emigration, when sold, go into the United States' Treasury, and are applied, like other revenues, to the general benefit—in other words, to national and not to state purposes. It is moreover most clear, that this increase of the value of lands in consequence of emigration, produces a peculiar benefit to the inhabitants of the new states, in which the inhabitants of the other states, unless owners of land in the new, have no participation. This benefit consists in the increase of the value of their own private property.

On the other hand, it is undoubtedly true, that emigration is



injurious to the atlantic states and to them alone. While it has had the effect of raising the price of lands in the west, it has, in an equal ratio at least, and probably in a much greater, prevented the increase of the value of lands in the states which the emigrants have left. It is an indisputable principle in political economy, that the price of every object of purchase—whether land or personal property, depends upon the relation, which supply bears to demand. The demand for land would have been the same or very nearly so, for the same number of people, as are contained within the present limits of the United States, if they had been confined within the limits of the Atlantic states. But the supply in that case would have been most materially different. It must have been so small in proportion to the demand, as to occasion a great rise in the value of land in the atlantic states; for it cannot be doubted, that it is the inexhaustible supply of cheap and good land in the west, which has kept down the price of land on the eastern side of the Allegheny. If the Atlantic states had been governed by an exclusive local and selfish policy, every impediment would have been thrown in the way of emigration which has constantly and uniformly operated to prevent the growth of their numbers, wealth and power; for which disadvantage the appreciation of their interest in the public lands consequent upon emigration can afford no adequate compensation. It appearing then perfectly clear to your committee, that emigration is exclusively advantageous to the new states, whose population, wealth and power, are thereby increased at the expense of those states which the emigrants abandon, the inducement to emigration furnished by the appropriation of public lands for the purposes of education in the west, instead of affording a reason for confining such appropriations to that quarter of the union, offers the most weighty considerations of both justice and policy, in favor of extending them to the states which have not yet obtained them.

Your committee beg leave to present one further reflection to the consideration of the Senate, drawn from the effect produced by encouraging learning in the western states alone, upon the relative moral power of the Atlantic and Mississippi states.—They are far from wishing to make any objection to the augmentation of the intelligence and mental improvement of the people of the west. On the contrary they sincerely desire the advancement of their brethren in that quarter of the union, in every thing that can strengthen, dignify and embellish political communities; but while they entertain these sentiments they cannot shut their eyes to the political preponderance which must ultimately be the inevitable result of the superior advantages of education there, and they must therefore ardently desire that



the same advantages be extended to the people of the Atlantic states. Your committee are persuaded, that from the views which they have thus presented, on the subject of appropriations of public lands for the purposes of education, the Senate will be satisfied that Maryland and the other states, which have not yet had the benefit of any such appropriations, are entitled to ask of the general government to be placed on an equal footing with the states which have already received them—they believe that no one convinced of the justice of such a measure, can question its expediency nor can they entertain any apprehension that an application to congress, supported by the combined influence of all the states which are interested, would fail of success. For the purpose, therefore, of drawing the attention of the national legislature to this important subject, and of obtaining the co-operation of the other states, your committee beg leave to recommend the adoption of the following resolutions:

Resolved, By the General Assembly of Maryland, That each of the United States has an equal right to participate in the benefit of the public lands, the common property of the union.

Resolved, That the states in whose favor congress have not made appropriations of land for the purposes of education, are entitled to such appropriations as will correspond, in a just proportion, with those heretofore made in favor of the other states

Resolved, That his Excellency the Governor, be requested to transmit copies of the foregoing report and resolutions, to each of our Senators and Representatives in Congress, with a request that they will lay the same before their respective Houses, and use their endeavors to procure the passage of an act to carry into effect the just principles therein set forth.

Resolved, That His Excellency the Governor, be also requested to transmit copies of the said report and resolutions, to the Governors of the several states of the union, with a request that they will communicate the same to the legislature thereof, respectively, and solicit their co-operation.

All which is respectfully submitted.

V. MAXEY, *Chairman.*

In Senate, January 30th, 1821—Read the first time, and ordered to lie on the table.

By order,

J. N. WATKINS, *Clerk.*

In Senate, February 5th, 1821—Read the second time, and ordered to lie on the table.

By order,

J. N. WATKINS, *Clerk.*

NAYS.

Messrs. Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,

NAYS.

Messrs. Leib,  
M'Meens,  
Piper,  
Raguet,  
Sawyer,  
Winter,  
Marks, Speaker. 20

So it was determined in the negative; and

On the question,  
Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Willett and Mr. Winter, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,

YEAS.

Messrs. Eyster,  
Hubley,  
Hurst,  
Leib,  
M'Meens,  
Raguet,  
Sawyer,  
Wallace, 16

NAYS.

Messrs. Allshouse,  
Barnard,  
Conyngham,  
Feger,  
Fry,  
Grosh,  
Hill,

NAYS.

Messrs. Markley,  
Piper,  
Power,  
Smith,  
Willett,  
Winter,  
Marks, speaker, 14

So it was determined in the affirmative.

Section two being under consideration:

A motion was made by Mr. Hubley and Mr. Coleman,  
To amend the same by striking therefrom the following  
words, to wit: "supported by oath or affirmation of any person  
or persons complaining, or who may have a knowledge of the  
fact."

On the question,  
Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Markley and Mr. Grosh

To amend the same by striking from line three the words "justices of the peace," and by inserting in lieu thereof the words "judges of the courts of Quarter-sessions," which was not agreed to.

On the question,

Will the Senate agree to the second section?

It was determined in the negative.

Section three being under consideration.

A motion was made by Mr. Wallace and Mr. Barnard

To amend the same by striking from line three the word "to," and inserting "who may," and by inserting after the word "growing," in line four, the words "or standing," and by striking from line six the word "double," and inserting after the word "the" the word "full."

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

The title being agreed to.

On the question,

Shall this bill be transcribed for a third reading?

The yeas and nays were required by Mr. Markley and Mr. Smith, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,

YEAS.

Messrs. Hubley,  
Hurst,  
Leib,  
M'Meens,  
M'Mullin,  
Raguet,  
Sawyer,  
Wallace,

17

NAYS.

Messrs. Allshouse,  
Barnard,  
Conyngham,

NAYS.

Messrs. Feger,  
Fry,  
Grosh,

Messrs. Hill,  
Markley,  
Piper,  
Power,

Messrs. Smith,  
Willetts,  
Winter,  
Marks, Speaker. 14

So it was determined in the affirmative.

The clerk of the House of Representatives being introduced, presented for concurrence; the bills entitled as follow, to wit:

"A supplement to the act to extend and revive the charter of the bank of North America."

"An act authorising the commissioners of the several counties in this commonwealth to create and regulate election districts."

"An act to confirm the title of Daniel Walp to certain real estate therein mentioned."

"An act to erect the town of Bethany, in the county of Wayne, into a borough."

"A supplement to the act entitled "An act to enable the governor to incorporate a company to make an artificial road, by the best and nearest route from the west end of the borough of York to the borough of Gettysburg, in the county of Adams, passed the 11th day of March 1815, and for other purposes."

Said bills were severally read the first time.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"A supplement to an act to encourage the apprehension of persons who shall have committed the crime of horse-stealing," postponed for the present yesterday.

The section recurring, and being under consideration:

A motion was made by Mr. Smith and Mr. Allshouse,

To amend the same by striking therefrom the words "throughout this commonwealth," and by inserting in lieu thereof the words "to the county of Montgomery," which was not agreed to.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Smith and Mr. Willett, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Barnard,

YEAS.

Messrs. Hill,  
Hubley,

# THE SENATE.

537

Messrs. Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,  
Grosh,

Messrs. Hurst,  
Leib,  
Markley,  
M'Meens,  
M'Mullin,  
Sawyer,  
Wallace,  
Marks, speaker,

21.

NAYS.

Messrs. Allshouse,  
Conyngham,  
Fry,  
Piper,  
Power,

NAYS.

Messrs. Raguet,  
Smith,  
Willett,  
Winter,

9.

So it was determined in the affirmative, and  
The title was agreed to, after being amended, to read  
"An act to extend throughout this commonwealth the act entitled "An act to encourage the apprehension of persons who shall have committed the crime of horse-stealing."

Ordered, that said bill be prepared for a third reading.

A motion was made by Mr. Hubley and Mr. Cadwallader, and read as follows, to wit:

Resolved, that when the Senate shall have resolved itself into a committee of the whole on the bill on the Senate files, entitled

"An act for the improvement of the state, no order of the day, so far as relates to bills, unless on special motion, shall thereafter be considered by Senate, until the said bill shall have been gone through in committee of the whole."

On motion,

Said resolution was read the second time, and being under consideration,

A motion was made by Mr. Grosh and Mr. Smith,

To postpone the further consideration of the same indefinitely, which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the improvement of the state."

And after some time,

The committee rose, reported progress and obtained leave to sit again this afternoon.

Adjourned until half-past three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Adjourned until 9 o'clock to-morrow morning.

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### **SATURDAY, March 10, 1821.**

Mr. Conyngham, from the committee to whom was referred, on the 6th ult. a petition from sundry inhabitants of Luzerne county, made report, which was read as follows, to wit:

That the committee deem it expedient to state and point out the errors and defects in the constitution of this state, which require amendment.

By the constitution the legislature are required to assemble at the seat of government, on the first Tuesday in December, and as it is a well known fact, that little business is done, of importance, prior to the first of January; and as it appears to be an unnecessary waste of money and time, we are of opinion that the time of meeting should be changed to the first Tuesday in January. Under the constitution the Governor has the appointment

of all judicial characters—Prothonotaries, Registers, Recorders, the heads of the public offices at Harrisburg, and the Attorney-General. Their appointments are made without any check or controlling power.

The Surveyor-General has the appointment of the different deputies in the different counties, and the Attorney-General has the appointment of his deputies, all strengthen the patronage and influence of the Governor. The judges are appointed during good behaviour, and cannot be removed on the ground of mental or bodily infirmity,

The justices of the peace are appointed during good behavior, this renders the justices too independent of the people and requires improvement:—Your committee therefore recommend the adoption of the following resolution:—

Whereas, it appears to be the sense of a majority of the citizens of Pennsylvania, that the patronage of the Governor is incompatible with the purity of our republican principles, and as the patronage of the Governor cannot be reduced but by an alteration in the constitution, and as the people alone have the right of calling a convention for the revision and amendment of the constitution; and whereas, it is desirable that an expression of the opinion of a majority of the people in Pennsylvania should be obtained:

Therefore,

Resolved, &c. That the qualified electors of the state of Pennsylvania, on the second Tuesday of October next, at the usual places for holding the general election—shall then and there give in their respective votes for or against calling a convention—in manner following, that is to say, every qualified voter shall deliver a written or printed ticket, on one of which shall be inserted the word "Convention, or the words "No Convention," as they may see cause; and the said tickets shall be presented to the proper inspector, who shall receive the same and deposit them in separate boxes, until the poll be closed, and when the poll be closed, it shall be the duty of the judges, in presence of the inspectors, to read aloud such tickets, out of the before mentioned boxes, one by one, and the clerks shall carefully enter and keep account of the same, so that the number of votes for and against a convention may be readily cast up and known; and the judges are hereby required to make a fair and correct statement and certificate annexed, designating the number of votes given for a convention, and the number given for no convention. And one of the judges of said election shall take charge of said certificate and shall produce it on the fourth day after such election, at the court-house where the return judges annually

meet in the counties, and at the state-house for the city and county of Philadelphia; and the judges so met, shall add together the number of votes and make out duplicate returns, one of which shall be deposited in the prothonotary's office, and the other shall be addressed to the Secretary of the Commonwealth, who shall, within two days after the meeting of the next legislature, transmit such returns to the speaker of the Senate.

Ordered, To lie on the table.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on yesterday presented to the Governor, for his approbation, the bills entitled as follow, to wit:

"An act to establish a Fifteenth Judicial District."

"An act for the relief of Thomas Laird."

"A further supplement to an act entitled "An act authorising the Governor to incorporate two companies for making an artificial road from the city of Pittsburg, through Butler and Mercer, to Meadville."

"A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve."

Ordered, To lie on the table.

Mr. Dickerson, from the committee on claims, to whom was referred, on the 5th instant, a petition from John M'Clean, a captain in the late war, made report, which was read as follows, to wit:

That the petitioner states, that he was a captain in colonel Rees Hill's regiment of militia, called into the service of the United States in the year 1813, and that he advanced the sum of two hundred thirty-two dollars and fifty-three cents, to procure clothing and other necessities for his company while in said service, which the government of the United States has not refunded to him.

Your committee are of the opinion, that however just this claim might be against the government of the United States, it would be unjust for the money to be paid by the state of Pennsylvania.

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.



## THE SENATE.

Ordered, To lie on the table.

On motion of Mr. Grosh and Mr Alter,  
The message from the Governor, read yesterday, was again read, and with the documents referred to the committee on education.

The bill from the House of Representatives, entitled  
"And act authorising George Miller and others, to drain a certain swamp in the county of Dauphin;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill entitled

"An act to prevent the cutting of timber;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Grosh and Mr. Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Breck Cadwallader, Cochran, Coleman, Dickerson, Eichelberger, Feger,	Messrs. Hubley, Hurst, Leib, M'Meens, M'Mullin, Raguet, Sawyer, Wallace, 16
NAYS.	NAYS.
Messrs. Allshouse, Barnard, Conyngham, Fry, Grosh, Hill,	Messrs. Markley, Power, Smith, Willett. Winter, Marks, Speaker. 12

So it was determined in the affirmative.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

NAYS.

Messrs. Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,

NAYS.

Messrs. Leib,  
M'Meens,  
Piper,  
Raguet,  
Sawyer,  
Winter,  
Marks, Speaker, 20

So it was determined in the negative; and

On the question,  
Will the Senate agree to the section as amended?

The yeas and nays were required by Mr. Willett and Mr. Winter, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,

YEAS.

Messrs. Eyster,  
Hubley,  
Hurst,  
Leib,  
M'Meens,  
Raguet,  
Sawyer,  
Wallace, 16

NAYS.

Messrs. Allshouse,  
Barnard,  
Conyngham,  
Feger,  
Fry,  
Grosh,  
Hill,

NAYS.

Messrs. Markley,  
Piper,  
Power,  
Smith,  
Willett,  
Winter,  
Marks, speaker, 14

So it was determined in the affirmative.

Section two being under consideration:

A motion was made by Mr. Hubley and Mr. Coleman,  
To amend the same by striking therefrom the following  
words, to wit: "supported by oath or affirmation of any person  
or persons complaining, or who may have a knowledge of the  
fact."

On the question,  
Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Markley and Mr. Grosh  
To amend the same by striking from line three the words  
"justices of the peace," and by inserting in lieu thereof the  
words "judges of the courts of Quarter-sessions," which was  
not agreed to.

On the question,  
Will the Senate agree to the second section?  
It was determined in the negative.

Section three being under consideration.

A motion was made by Mr. Wallace and Mr. Barnard  
To amend the same by striking from line three the word "to,"  
and inserting "who may," and by inserting after the word  
"growing," in line four, the words "or standing," and by stri-  
king from line six the word "double," and inserting after the  
word "the" the word "full."

On the question,  
Will the Senate agree so to amend?  
It was determined in the affirmative, and the section as a-  
mended was then agreed to.  
The title being agreed to.

On the question,  
Shall this bill be transcribed for a third reading?

The yeas and nays were required by Mr. Markley and Mr.  
Smith, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,

YEAS.

Messrs. Hubley,  
Hurst,  
Leib,  
M'Meens,  
M'Mullin,  
Raguet,  
Sawyer,  
Wallace,

17

NAYS.

Messrs. Allshouse,  
Barnard,  
Conyngham,

NAYS.

Messrs. Feger,  
Fry,  
Grosh,

Messrs. Hill,  
Markley,  
Piper,  
Power,

Messrs. Smith,  
Willett,  
Winter,  
Marks, Speaker. 14

So it was determined in the affirmative.

The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, to wit:

"A supplement to the act to extend and revive the charter of the bank of North America."

"An act authorising the commissioners of the several counties in this commonwealth to create and regulate election districts."

"An act to confirm the title of Daniel Walp to certain real estate therein mentioned."

"An act to erect the town of Bethany, in the county of Wayne, into a borough."

"A supplement to the act entitled 'An act to enable the governor to incorporate a company to make an artificial road, by the best and nearest route from the west end of the borough of York to the borough of Gettysburg, in the county of Adams, passed the 11th day of March 1815, and for other purposes.'"

Said bills were severally read the first time.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"A supplement to an act to encourage the apprehension of persons who shall have committed the crime of horse-stealing," postponed for the present yesterday.

The section recurring, and being under consideration:

A motion was made by Mr. Smith and Mr. Allshouse,

To amend the same by striking therefrom the words "throughout this commonwealth," and by inserting in lieu thereof the words "to the county of Montgomery," which was not agreed to.

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Smith and Mr. Willett, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Barnard,

YEAS.

Messrs. Hill,  
Hubley,

## THE SENATE.

Messrs. Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,  
Grosh,

Messrs. Hurst,  
Leib,  
Markley,  
M'Meens,  
M'Mullin,  
Sawyer,  
Wallace,  
Marks, speaker,

21.

NAYS.

Messrs. Allshouse,  
Conyngham,  
Fry,  
Piper,  
Power,

NAYS.

Messrs. Raguet,  
Smith,  
Willett,  
Winter,

9.

So it was determined in the affirmative, and  
The title was agreed to, after being amended, to read  
"An act to extend throughout this commonwealth the act entitled "An act to encourage the apprehension of persons who shall have committed the crime of horse-stealing."

Ordered, that said bill be prepared for a third reading.

A motion was made by Mr. Hubley and Mr. Cadwallader, and read as follows, to wit:

Resolved, that when the Senate shall have resolved itself into a committee of the whole on the bill on the Senate files, entitled

"An act for the improvement of the state, no order of the day, so far as relates to bills, unless on special motion, shall thereafter be considered by Senate, until the said bill shall have been gone through in committee of the whole."

On motion,

Said resolution was read the second time, and being under consideration,

A motion was made by Mr. Grosh and Mr. Smith,

To postpone the further consideration of the same indefinitely, which was agreed to.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the improvement of the state."

And after some time,

The committee rose, reported progress and obtained leave to sit again this afternoon.

Adjourned until half-past three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Adjourned until 9 o'clock to-morrow morning.

---

### **SATURDAY, March 10, 1821.**

Mr. Conyngham, from the committee to whom was referred, on the 6th ult. a petition from sundry inhabitants of Luzerne county, made report, which was read as follows, to wit:

That the committee deem it expedient to state and point out the errors and defects in the constitution of this state, which require amendment.

By the constitution the legislature are required to assemble at the seat of government, on the first Tuesday in December, and as it is a well known fact, that little business is done, of importance, prior to the first of January; and as it appears to be an unnecessary waste of money and time, we are of opinion that the time of meeting should be changed to the first Tuesday in January. Under the constitution the Governor has the appointment

of all judicial characters—Prothonotaries, Registers, Recorders, the heads of the public offices at Harrisburg, and the Attorney-General. Their appointments are made without any check or controlling power.

The Surveyor-General has the appointment of the different deputies in the different counties, and the Attorney-General has the appointment of his deputies, all strengthen the patronage and influence of the Governor. The judges are appointed during good behaviour, and cannot be removed on the ground of mental or bodily infirmity,

The justices of the peace are appointed during good behavior, this renders the justices too independent of the people and requires improvement:—Your committee therefore recommend the adoption of the following resolution:—

Whereas, it appears to be the sense of a majority of the citizens of Pennsylvania, that the patronage of the Governor is incompatible with the purity of our republican principles, and as the patronage of the Governor cannot be reduced but by an alteration in the constitution, and as the people alone have the right of calling a convention for the revision and amendment of the constitution; and whereas, it is desirable that an expression of the opinion of a majority of the people in Pennsylvania should be obtained:

Therefore,

Resolved, &c. That the qualified electors of the state of Pennsylvania, on the second Tuesday of October next, at the usual places for holding the general election—shall then and there give in their respective votes for or against calling a convention—in manner following, that is to say, every qualified voter shall deliver a written or printed ticket, on one of which shall be inserted the word "Convention, or the words "No Convention," as they may see cause; and the said tickets shall be presented to the proper inspector, who shall receive the same and deposit them in separate boxes, until the poll be closed, and when the poll be closed, it shall be the duty of the judges, in presence of the inspectors, to read aloud such tickets, out of the before mentioned boxes, one by one, and the clerks shall carefully enter and keep account of the same, so that the number of votes for and against a convention may be readily cast up and known; and the judges are hereby required to make a fair and correct statement and certificate annexed, designating the number of votes given for a convention, and the number given for no convention. And one of the judges of said election shall take charge of said certificate and shall produce it on the fourth day after such election, at the court-house where the return judges annually

The bill from the House of Representatives, entitled

"A supplement to an act to encourage the apprehension of persons who shall have committed the crime of Horse-Stealing;" was read the third time; and

On the question,  
Shall this bill pass?

A motion was made by Mr. Hubley and Mr. Cochran,

That the Senate resolve itself into a committee of the whole, for the purpose of amending said bill, to read as follows, to wit:

"Section 1. Be it enacted by the Senate and House of Representatives of the Commonwealth of Pennsylvania, in General Assembly met, and it is hereby enacted by the authority of the same, That whosoever, after the passing of this act, shall pursue and apprehend any person who shall have stolen any mare, horse or gelding, within any county of this commonwealth, on the conviction of the person so apprehended, shall be entitled to the reward of twenty dollars for apprehending the person who shall have been convicted of stealing any mare, horse or gelding as aforesaid, and six cents for every mile necessarily travelled in pursuit of the offender: Provided, That the reward offered by this act, shall in no wise exclude the person or persons entitled to such reward, from being competent witnesses.

"Section 2. And be it further enacted by the authority aforesaid, That it shall be the duty of the court, within any county aforesaid, before which any person or persons are convicted of the crime of horse-stealing, to enquire whether any, and if any, who is the person or persons entitled to receive the above rewards; and if more than one person, then in what proportion the said sum or sums ought to be paid to them; and to direct the clerk of said court to certify the same, with the name or names of the claimants, to the commissioners of the county in which the owner of the horse, mare or gelding resides, who are hereby directed and enjoined, to draw their warrant on the treasurer of said county, in favor of the said claimant or claimants for the amount so certified. All which shall be done free of all costs and charges to the said claimant or claimants, under the provisions of this act."

On the question,  
Will the Senate agree to said motion?

It was determined in the affirmative.

Whereupon,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the said bill.



And after some time,  
The committee rose and reported the bill amended as aforesaid, which was concurred in by the Senate.

The title was amended to read  
"An act to encourage the apprehension of persons who shall have committed the crime of horse-stealing."

The question recurring,  
Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

"An act for the more convenient education of the poor, gratis, within the county of Cumberland."

"A supplement to the act entitled "An act to incorporate the Seventh-Day Baptist Society, at Ephrata, in the county of Lancaster, passed the twenty-first day of February, one thousand eight hundred and fourteen."

"An act to compensate John Davis, for certain rations furnished by him to a detachment of troops, in the service of this state, during the late war."

"A supplement to an act passed the sixteenth day of March, one thousand eight hundred and nineteen, entitled "An act relative to the claim of the commonwealth, against Peter Baynton, and against the estate of John Nicholson, deceased."

He informed, that the House of Representatives have non-concurred in the amendment by the Senate to the bill entitled

"An act for the relief of James M'Ghee, and others."

The bills presented for concurrence were severally read the first time.

On motion of Mr. Hill and Mr. Hurst,

The resolution read yesterday, requiring certain information from the Auditor-General and Secretary of the Land-Office, was read the second time; and the same being under consideration:

A motion was made by Mr. Coleman and Mr. Smith,

To postpone the further consideration of the same, for the present, which was agreed to.

On motion of Mr. Wallace and Mr. Conyngham,

The Senate resumed the second reading and consideration of the resolution from the House of Representatives,

"Requiring the Secretary of the Commonwealth to furnish certain members of the legislature with a copy of Smith's edition of the Laws of Pennsylvania;" postponed for the present on the 7th instant

The question recurring,

Will the Senate adopt said resolution?

It was determined in the affirmative.

Ordered, That the clerk return said resolution to the House of Representative, with information that the Senate have adopted the same without amendment.

Agreeably to order,

\* The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill entitled

"An act for the Improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

The speaker laid before the Senate, a letter from the president and treasurer of the Union Canal Company, which was read as follows, to wit:

*Philadelphia, March 8, 1821.*

SIR,

We have this morning received a copy of a resolution of the Senate, calling upon us to inform "the amount of stock of the Union Canal Company, and what proportion of it is of the stock of the Delaware and Schuylkill Navigation Company." In answer to which, we have the honor to state, that the amount of the capital is one hundred forty-seven thousand six hundred dollars, composed of seven hundred and thirty-eight shares, at two hundred dollars each, arising from one hundred and thirty-seven shares of the Schuylkill and Susquehanna Navigation Company, originally at four hundred dollars each, and four hundred and sixty-four shares of Delaware and Schuylkill Navigation Company, at two hundred dollars each.

When the two companies were united, each stockholder was entitled to two shares in the Union Canal for one share in the Schuylkill and Susquehanna Company, and one share in the Union Canal, for each share in the Schuylkill and Delaware Company, so that of the seven hundred and thirty-eight shares above mentioned, two hundred and seventy-four shares are of

the former, and four hundred and sixty-four of the latter company.

We have the honor to be,

Your most obedient servants,

JOSEPH WATSON, *President.*

JOSEPH LEWIS, *Treasurer.*

*William Marks, Esq. Speaker of }  
the Senate of Pennsylvania. }*

Ordered, To lie on the table.

On motion of Mr. Grosh and Mr. Markley,

The Senate adjourned until 9 o'clock on Monday morning.



MONDAY, March 12, 1821.

Mr. Raguet presented a petition from the Chamber of Commerce of the city of Philadelphia, praying for the passage of a bill now before the Senate, entitled "An act for the Improvement of the State; and

The same was read and laid on the table.

Mr. Hill presented two petitions of similar tenor from sundry inhabitants of Greene county, praying that the sum of twenty thousand dollars may be appropriated to aid in opening and improving certain state roads running through said county; and

The same were read and laid on the table.

Mr. Hill also presented a petition from Hugh Moore, an old soldier, praying for pecuniary aid; and

The same was read, and referred to the committee on claims.

Mr. Eichelberger presented a petition from sundry inhabitants of York and Adams counties, praying for the establishment of a Loan-Office; and

The same was read and laid on the table.

Mr. Piper presented a petition from Joseph Cooper, a soldier of the revolutionary war, praying for pecuniary aid; and

The same was read, and referred to the committee on claims.

Mr. Raguet presented a petition from sundry inhabitants of the Kensington District, of the Northern Liberties, praying that a law may not be passed to authorise the holding of Sunday markets in said district, until they shall have had time to prepare and forward their remonstrances against the same; and

Said petition was read and laid on the table.

Mr. Eichelberger presented a petition from sundry inhabitants of this commonwealth, praying for a repeal of the law which prevents imprisonment for debt; and

The same was read and laid on the table.

Mr. Grosh presented two petitions of similar tenor from sundry inhabitants of Lancaster county, praying for the establishment of a Loan-Office; and

The same were read and laid on the table.

Mr. Grosh presented a petition from sundry inhabitants of the town of Columbia, praying that in case a law is passed to authorise the introduction of water into said town, it may be so modified as to secure to all the inhabitants a right to participate in the advantages arising therefrom; and

Said petition was read and laid on the table.

On motion of Mr. Alter and Mr. Winter,

The amendment by the Senate to the bill from the House of Representatives, entitled

"An act for the relief of James M'Ghee, and others;" non-concurred in by that House, was again read.

Whereupon,

A motion was made by Mr. Alter and Mr. Grosh,

That the Senate *adhere* to their amendment to said bill, which was agreed to.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the Improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again.

# THE SENATE.

On the question,  
At what time shall the committee sit again?  
To-morrow and this afternoon being named.

On the question,  
Shall the committee sit again to-morrow?

The yeas and nays were required by Mr. Smith and Mr. Hurst, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Eichelberger, Eyster, Fry,	Messrs. Hill, Hurst, M'Meens, Smith, Winter,
	10
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Dickerson, Feger, Hubley,	Messrs. Markley, M'Mullin, Piper, Power, Raguet, Sawyer, Wallace, Willett, Marks, speaker,
	19

So it was determined in the negative; and

On the question,  
Shall the committee of the whole sit again this afternoon?  
It was determined in the affirmative.

The clerk of the House of Representatives being introduced,  
returned the bill entitled

"An act to provide for the erection of a State Penitentiary  
within the city and county of Philadelphia."

And informed, that the House of Representatives have passed  
said bill with amendments, in which the concurrence of the Sen-  
ate is requested.

Said amendments were read and laid on the table.

He further informed, that the House of Representatives have  
concurred in the amendments by the Senate, to the bills entitled  
as follow, viz :

**"An act authorising George Miller and others, to drain a certain swamp in the county of Dauphin."**

**"A supplement to an act to encourage the apprehension of persons who shall have committed the crime of Horse-Stealing."**

**Adjourned until half-past three o'clock this afternoon.**

### **SAME DAY—IN THE AFTERNOON.**

**Agreeably to order,**

**The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled**

**"An act for the Improvement of the State."**

**And after some time,**

**The committee rose, reported progress and obtained leave to sit again to-morrow.**

**Adjourned until 9 o'clock to-morrow morning.**



### **TUESDAY, March 13, 1821.**

**Mr. Breck, from the committee on roads, bridges and inland navigation, reported a bill entitled**

**"An act appropriating four thousand dollars in aid of a certain road in Columbia and Schuylkill counties, running from Cattawissa to the Centre turnpike;" which was read the first time; and**

**Referred to a committee of the whole, when they shall have under consideration, the bill entitled**

**"An act for the Improvement of the State."**

**Mr. Breck, from the committee on roads, bridges and inland navigation, reported a bill entitled**

"An act authorising the Governor to appoint commissioners to view and lay out a state road from Isaac Bowers, on Muddy Run, in Washington township, York county, to intersect a bridge lately erected across Big Connewago, at the west end of the town of Berlin, in Adams county;" which was read the first time.

Mr. Markley, from the Library Committee, made report, which was read as follows, to wit:

That the joint library committee have had under consideration, the accounts of the chairman of the joint library committee, of the two preceding sessions of the legislature, and respectfully submit a statement of those accounts, by which it appears that (including a credit of \$210, advanced to his agent at Philadelphia, for the purchase of books which have not yet all arrived), there remains in his hands \$8 57 unexpended, of the two years appropriation, amounting to \$1,200.

There also accompanies this report a list of the books ordered by the chairman of the committee of last session, and an additional list designating those which have arrived in pursuance of that order. Both lists have been furnished to the committee by the chairman.

### **THE STATE LIBRARY COMMITTEE,**

IN ACCOUNT WITH

### **MICHAEL LEIB.**

Dr.		No. of				
1818,		voucher.				
Dec.	24,	1	To cash paid William Musgrave, (librarian,)			\$50 00
1819,						
March	3,	2	Do.	do.		120 00
	3,	3	Do.	John Wyeth, (on account of Cy-		
				clopedia and printing,)		156 25
	5,	4	Do.	C.J. Shaffert, (for box for library,)		2 50
	8,	5	Do.	W. Weaver, (for Pinkerton's At-		
				las, &c.)		116 00
	8,	6	Do.	Rezin Beck, (for Tracey's Polit-		
				ical Economy,)		3 00
	18,	7	Do.	William Musgrave, (librarian,)		70 00
Dec.	16,	8	Do.	William Duane, (for books as per		
				bills,)		55 50
	24,	9	Do.	William Musgrave, (librarian,)		50 00
1820,						
Jan'y.	20,	10	Do.	William Musgrave,		25 00
Feb'y.	23,	11	Do.	William Musgrave,		50 00

March 14,	12	Do.	William Musgrave,	50 00
	21,	13	Do. William Musgrave,	51 00
	25,	14	Do. John Wyeth, (for 5 volumes Cy- clopedia,)	20 00
June 6,	15	Do.	Philip H. Nichlin, (for books as per bill,)	32 18
Oct. 30,	16	Do.	William Duane, (on account of books, ordered by the library committee, part of which are, as per annexed schedules,)	210 00
1821,				
Jan'y.	5,	17	Do. William Musgrave, (librarian,)	50 00
	23,	18	Do. William Musgrave,	50 00
Feb'y.	13,	19	Do. William Musgrave,	10 00
March 2,	20	Do.	William Musgrave,	10 00
	7,	21	Do. William Connely, (for Cruden's Concordance,)	10 00
Balance				8 57
				<hr/>
				\$12,00 00

Cr.

1819.				
March,	By cash received,			\$600 00
1820,				
March,	By cash,			600 00
				<hr/>
				\$12,00 00

A list of books ordered by the library committee, of the session of 1819-'20, and by direction of that committee, to be purchased and forwarded to the State Library, at Harrisburg by William Duane, agent for the chairman.

Zimmerman's Aphorisms,  
Machiavel,  
Sparrman's Travels in Asia,  
Jewish Spy,  
Cyropedia, by Ashley,  
Belsham's Essays—Philosophical, Historical and Literary,  
Fenwick's Memoirs of Dumourier,  
Sonnine's Egypt,  
Savary's Egypt,  
Denon's Egypt,  
Lauderdale, on Public Wealth,  
Middleton's Cicero,  
D'Ohson's Ottoman Empire,



Orery's Life of Swift,  
 De Page's French Revolution,  
 Payne's Epitome of History,  
 Ramsay's Travels of Cyrus,  
 Spelman's Xenophon,  
 Taylor's Travels in India,  
 English Classics,  
 Memoirs of the Marchioness la Roche Jaquelin,  
 Voltaire's Louis 14th,  
 ——— Charles 12th,  
 ——— Peter the Great,  
 ——— Toleration and Beccaria,  
 Van Ess's Buonaparte,  
 Buonaparte by himself,  
 Political Classics—Sidney—Moore—Rosseau.  
 Benyouski's Travels,  
 Edinburg Review,  
 Sales's Koran,  
 History of the Devil,  
 Leimborck's Inquisition,  
 Stanhope's Rights of Jurors,  
 Bingley's Animal Biography,  
 Antenor's Travels,  
 Manuscripts found in Herculaneum,  
 Eton's Turkish Empire,  
 Defence of Usury.

Of the foregoing list, the following books have been forwarded,  
 and have arrived at the State Library. The chairman, at  
 present, is unable to ascertain the prices, no bill having yet  
 been transmitted to him from his agent in Philadelphia:

Cyropedia, by Ashley,  
 Middleton's Cicero,  
 Orery's Life of Swift,  
 De Page's French Revolution,  
 Ramsay's Travels of Cyrus,  
 Memoirs of the Marchioness la Roche Jaquelin,  
 Voltaire's Charles 12th,  
 Beccaria on Crimes,  
 Van Ess's Buonaparte,  
 Eaton's Turkish Empire,  
 Defence of Usury,  
 Spelman's Dionysius.

Ordered, To lie on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the improvement of the State."

And after some time,

The committee rose, reported progress and obtained leave to sit again this afternoon.

The speaker laid before the Senate, a letter from the Secretary of the Commonwealth, stating that he has this day laid before the House of Representatives, sundry depositions, interrogatories and cross-examinations, taken in the case of David Montgomery, a justice of the peace of Lancaster county; and

The same was read and laid on the table.

Adjourned until half-past three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act for the improvement of the state."

And after some time,

The committee rose and reported said bill with amendments.

On motion of Mr. Leib and Mr. Winter,

The Senate resolved itself into a committee of the whole, Mr. Markley in the chair, on the bill entitled

"An act to raise by way of Lottery, a sum not exceeding twenty thousand dollars, to enable the president and directors of "The Pennsylvania Academy of the Fine Arts," to discharge the debts to mechanics and others, incurred by the said president and directors in erecting the academy, and in purchasing the various articles necessary to their undertaking."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Smith and Mr. Wallace,

The Senate resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill entitled

"An act to abolish the office of Attorney-General, and prescribing the manner of appointing attorneys of the commonwealth and their duties."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Thursday next.

On motion of Mr. Cadwallader and Mr. Davidson,

The rule for going into a committee of the whole, being in this case dispensed with, the bill entitled

"An act relating to the appointment of the Treasurer of Bucks county;" was read the second time, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Adjourned until 9 o'clock to-morrow morning.

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### WEDNESDAY, March 14, 1821.

Mr. Markley, from the committee on the Judiciary System, to whom was referred on the 8th inst. the bill entitled

"An act to discourage fraudulent insolvencies," reported said bill with amendments, which were read.

Mr. Dickerson, from the committee on claims, to whom was referred on the 12th inst. a petition from Hugh Moore, made report which was read as follows, to wit:

That it satisfactorily appears to your committee that said petitioner was taken a prisoner under col. Loughrey, on the 24th of August, 1781, at the mouth of Big Miami, by the Indians: that he was taken by them to Detroit, and from thence to Quebec, where he remained until after peace was proclaimed in the year 1783, when he was sent on to New-York, making about eighteen months that he remained a prisoner, and no doubt suffered severely during that time.

Therefore,  
Resolved, that a bill be brought in granting him a pension for life.

On motion,  
Said report was again read, and the resolution thereto attached considered and adopted.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and yesterday presented to the Governor, for his approbation, the bills and resolution entitled as follow, to wit:

"An act for the relief of James M'Ghee and others."

"An act to encourage the apprehension of persons who shall have committed the crime of horse-stealing."

"An act authorising George Miller and others to drain a certain swamp in the county of Dauphin."

"An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned;"

"A supplement to an act entitled "An act erecting part of Cumberland county into a separate county, to be called Perry."

Resolution requiring the Secretary of the Commonwealth to furnish certain members of the legislature with a copy of Smith's edition of the Laws of Pennsylvania.

Ordered, To lie on the table.

The bill entitled

"An act relating to the appointment of the treasurer of Bucks county," was read the third time,

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

A motion was made by Mr. Davidson and Mr. Cadwallader, and read as follows, to wit:

"Resolved, That the Speaker draw his warrant in favor of Joseph A. M'Jimsey, the clerk of the Senate, for the further sum of two hundred dollars, to be applied towards the payment of contingent expenses; he to account for the same in the settlement of his account."

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

On motion of Mr. Raguet and Mr. Markley,

The amendments by the House of Representatives to the bill entitled

"An act for the erection of a State Penitentiary within the city and county of Philadelphia," read on the 12th inst. were again read.

The first amendment was considered and concurred in.

The second amendment, to wit, section 7, strike out all that follows the enacting clause to and including the word "act" in the 7th line, and insert in lieu thereof the following: "That if the commissioners of the city and county of Philadelphia shall secure to be paid into the treasury of the commonwealth, in *five* equal annual instalments, commencing on the first day of January, one thousand eight hundred and twenty-*two*, the sum of fifty thousand dollars," being under consideration,

A motion was made by Mr. Smith and Mr. Fry,

To amend said amendment by striking out the word "five," and inserting in lieu thereof the word "three" and by striking out the word "two" and inserting "one."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Smith and Mr. Winter, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Fry, Hurst, Markley, M'Meens, Piper,	Messrs. Power, Sawyer, Smith, Wallace, Willetts. Winter, Marks, Speaker.
	15
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson,	Messrs. Feger, Hill, Hubley, Leib, M'Mullin, Raguet,
	12

So it was determined in the affirmative, and the amendment as amended was concurred in.

The remaining amendments were severally considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

The clerk of the House of Representatives being introduced, presented for concurrence, two bills entitled as follow, to wit:

"An act to provide for the more regular observance of the Sabbath, supplementary to the act entitled "An act for the prevention of vice and immorality, and unlawful gaming, and to restrain disorderly sports and dissipation."

"A further supplement to an act entitled "An act to regulate the general elections within this commonwealth."

He informed, that the House of Representatives have receded from their non-concurrence, in the amendments by the Senate, to the bill entitled

"An act for the relief of James M'Ghee and others."

The bills presented for concurrence were read the first time.

The bill from the House of Representatives, entitled

"An act for the improvement of the state,"

Was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Smith and Mr. Alter,

To amend the same by striking from line fifteen the words "twenty-five years," and by inserting in lieu thereof the words "nineteen years," which was not agreed to.

Sections two to twenty-five, inclusive, were severally considered and agreed to.

Section twenty-six being under consideration,

A motion was made by Mr. Dickerson and Mr. Piper,

To postpone the further consideration of said section for the present, for the purpose of introducing a new section, in the following words, to wit:

Section 26. And be it further enacted by the authority aforesaid, That the governor be, and he is hereby authorised and required to subscribe, as soon as the books are opened for the purpose of receiving subscriptions, two hundred and fifty shares in the stock of the Washington and West-Middletown turnpike road company; and when the said company shall have, agreea-

bly to their act of incorporation, completed five miles of said road, the Governor shall draw his warrant on the state treasurer in favor of the president and managers of said company for a sum in proportion to the whole distance of the road, and the shares subscribed on behalf of the commonwealth; and so on from time to time, on the completion of each additional five miles, until the whole road shall be completed.

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Dickerson and Mr. Piper, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Davidson, Dickerson, Fry,	Messrs. Hill, Markley, Piper, Winter, Marks, speaker,
	11
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Eichelberger, Eyster, Feger, Hubley,	Messrs. Hurst, Leib, M'Meens, M'Mullin, Power, Raguet, Sawyer, Smith, Willett.
	10

So it was determined in the negative, and section twenty-six was then agreed to.

Sections twenty-seven to fifty, inclusive, were severally considered and agreed to.

Adjourned until half past three o'clock this afternoon.

## SAME DAY—IN THE AFTERNOON.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts, and desired the Secretary of the Commonwealth, to return them to the Houses in which they originated.

“An act to establish a Fifteenth Judicial District.”

“An act for the relief of Thomas Laird.”

“A further supplement to an act entitled “An act authorising the Governor to incorporate two companies for making an artificial road from the city of Pittsburg, through Butler and Mercer, to Meadville.”

“A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson’s Creek, passed the twenty-second day of February, one thousand eight hundred and twelve.”

JOSEPH HIESTER.

*March 12, 1821.*

Ordered, To lie on the table.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

“An act for the Improvement of the State.”

The same having been under consideration when the Senate adjourned this morning.

Sections fifty-one to sixty-five were severally considered and agreed to.

Section sixty-six being under consideration:

A motion was made by Mr. Fry and Mr. Winter,

To postpone the further consideration of the same for the present, for the purpose of introducing a new section in the following words, to wit:



Section 66. And be it further enacted by the authority aforesaid, that the sum of two thousand dollars be, and the same is hereby appropriated for opening and improving a road from captain Eddy's, on the Lehigh and Susquehanna Turnpike, in Northampton county, to Solomon's Gap, in Luzerne county, to be paid to Jacob Weiss, jun. of Northampton county, and John Carey of Wilkesbarre; and the governor is hereby authorised and required to draw his warrant in favor of said commissioners for the aforesaid sum, on their entering into bond, with sufficient sureties, for the faithful and judicious expenditure of the said money; and the said commissioners shall receive one dollar and fifty cents for every day necessarily spent in performing said duty, to be paid out of the county treasuries of Northampton and Luzerne counties, in proportion to the distance the road runs through the same.

On the question,

Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Fry and Mr. Winter, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Dickerson, Fry, Markley,	Messrs. Power, Sawyer, Willett, Winter, Marks, Speaker,
	11
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Davidson, Eichelberger, Hubley,	Messrs. Hurst, M'Meens, Piper, Raguet, Smith, Wallace,
	13.

So it was determined in the negative; and Section sixty-six was then agreed to.

Sections sixty-seven and sixty-eight were severally considered and agreed to.

Section sixty-nine being under consideration:

A motion was made by Mr. Piper and Mr. Davidson,

To amend the same, by striking from line three the words "fifteen thousand dollars," and by inserting in lieu thereof the words "ten thousand dollars."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Hurst and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Davidson, Fry,	Messrs. Leib, M'Meens, Piper, Sawyer, Smith,
	11.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Conyngham, Dickerson, Eichelberger, Hill, Hubley, Hurst,	Messrs. Markley, Power, Raguet, Wallace, Willett, Winter, Marks, speaker,
	15

So it was determined in the negative; and the section was then agreed to.

Section seventy being under consideration,

A motion was made by Mr. Power and Mr. Hurst,

To postpone the further consideration of said section for the present, for the purpose of introducing a new section, in the following words, to wit :

Section 70. And be it further enacted by the authority aforesaid, That the sum of one thousand dollars be, and the same is hereby appropriated for the purpose of improving that part of the state road leading from the borough of Beaver to the borough of Mercer, which lies in the county of Beaver, to be paid by warrants drawn by the governor on the state treasurer in favor of the commissioners of Beaver county, and to be by them expended in improving the road aforesaid in such manner as they shall judge most advantageous, and shall exhibit a statement of their accounts and disbursements of the money aforesaid, to the auditors of the said county, who shall settle and

adjust the same in like manner as the accounts of county commissioners are in other cases settled and adjusted."

On the question,

Will the Senate agree so to postpone?

It was determined in the affirmative, and the section was then agreed to.

A motion was then made by Mr. Alter and Mr. Allshouse,

Further to postpone section seventy now seventy-one, for the purpose of introducing a new section in the following words, to wit:

Section 71. And be it further enacted, &c. That the sum of four hundred dollars be, and the same is hereby appropriated for the purpose of opening and improving the road across the North Mountain at M'Clure's Gap, between Landisburg and Newville, to be paid on warrants drawn by the governor in favor of James Allen and Benjamin Rice, who are hereby appointed commissioners to lay out the same to the best advantage, for the purpose aforesaid; and who, previous to entering on the duties enjoined on them by this act, shall give bond, with approved security, to the governor, for the faithful performance of the same, and the said commissioners shall receive one dollar and fifty cents for every day necessarily spent in performing the duties required by this act, to be paid by the treasurers of the counties wherein the money was expended."

On the question,

Will the Senate agree so to postpone?

It was determined in the affirmative, and the section was then agreed to.

A motion was then made by Mr. Winter and Mr. Fry,

Further to postpone section 70, now 72, for the purpose of introducing a new section in the following words, to wit:

Section 72. And be it further enacted, &c. that the sum of one thousand dollars be, and the same is hereby appropriated for the purpose of improving the river road from Easton to Martin's creek bridge, in Northampton county, and the governor is hereby authorised and required, on or before the first day of June next, to draw his warrant on the state treasurer in favor of George Swartz and Robert Brittin, of Northampton county, for the the aforesaid sum, to be expended by them in improving said road; to be paid to them or their order on their entering into a bond, with two sufficient sureties, for the faithful and judicious expenditure of said money in improving said road, which sureties shall be approved of by the prothonotaries of said

county, and the said commissioners shall receive one dollar and fifty cents each per day for every day necessarily spent in performing the duties required by this act, which sum shall be paid out of the county treasury."

On the question,

Will the Senate agree so to postpone?

It was determined in the affirmative, and the section was then agreed to.

A motion was then made by Mr. Smith and Mr. Dickerson,

Further to postpone section seventy, now seventy-three, for the purpose of introducing a new section in the following words, to wit:

Section 73. And be it further enacted by the authority aforesaid, That the governor is hereby authorised and required to subscribe, on behalf of the commonwealth, for two hundred shares at fifty dollars, in the Fannetsburg and Strawsburg turnpike road company, and so soon as five miles of the said road shall have been completed and approved, the governor shall draw his warrant on the state treasurer in favor of the president and managers of the same, for such part of the subscription as the said section of road shall be entitled to in proportion to the whole distance, and a proportional part of the said subscription on the completion of every subsequent section of *five miles*.

On the question,

Will the Senate agree so to postpone?

It was determined in the negative.

A motion was then made by Mr. Dickerson and Mr. Power,

Further to postpone section seventy, now seventy-three, for the purpose of introducing a new section in the following words, to wit:

Section 73. And be it further enacted by the authority aforesaid, that the sum of four thousand dollars be, and the same is hereby appropriated to be paid to Thomas Mitchell, William Hawkin and Thomas Henry, commissioners, on a warrant drawn by the governor on the treasurer of this commonwealth, and shall be expended in improving the road from Waynesburg through Washington to the borough of Beaver in the county of Beaver, two-thirds thereof to be expended on that part of said road between Waynesburg and Washington, and the remainder on that part of said road between Washington and the borough of Beaver, and said commissioners shall lay their accounts before the Auditor-General, who shall settle and adjust the same;

and they shall each receive one dollar and fifty cents per day for each and every day necessarily spent in expending said sum, to be paid out of the treasuries of the counties through which said road passes, in proportion to the distance said road passes through the same.

"On the question,  
Will the Senate agree so to postpone?  
It was determined in the negative.

A motion was then made by Mr. Davidson and Mr. Markley, Further to postpone section seventy, now seventy-three, for the purpose of introducing a new section in the words following, to wit:

Section 73. And be it further enacted by the authority aforesaid, that the money appropriated by this act, whether to incorporated companies or otherwise, shall be paid to the laborers who may be employed in making the improvements contemplated by this act, and the monies thus appropriated shall be exclusively applied for the purpose aforesaid, and no contract shall be made and binding on the laborer whereby the provisions of this section shall be evaded; and that not more than the one half of any appropriation which is made by this act, as a gratuity, shall be drawn at any one time; and that no additional sum shall be drawn until the money so drawn shall have been expended, and the account settled and approved, agreeably to the provisions of this act.

On the question,  
Will the Senate agree so to postpone?  
It was determined in the affirmative; and

Said section being under consideration:

A motion was made by Mr. Davidson and Mr. Winter, To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

Adjourned until 9 o'clock to-morrow morning.

**THURSDAY, March 15, 1821.**

Mr. Markley, from the committee on the judiciary system, reported a bill entitled

"A further supplement to the act entitled "An act to amend and consolidate with its supplements, the act entitled "An act for the recovery of debts and demands not exceeding \$100, before a justice of the peace, and for the election of constables and for other purposes; and also the act regulating the proceedings of justices of the peace and aldermen, in cases of trespass, trover and rent;" which was read the first time.

The clerk of the House of Representatives being introduced, informed, that the House of Representatives have concurred in the amendments by the Senate, to the amendments by the House of Representatives, to the bill entitled

"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia."

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"And act for the Improvement of the State;" postponed for the present yesterday.

Section seventy-three recurring:

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Davidson and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse,	Messrs. Hill,
Alter,	Hubley,
Barnard,	Hurst,
Cochran,	Markley,
Coleman,	Piper,
Conyngham,	Power,
Davidson,	Sawyer,
Dickerson,	Smith,

YEAS.	YEAS.
Messrs. Eichelberger, Eyster, Feger, Fry, Grosh,	Messrs. Wallace, Willetts, Winter, Marks, speaker,
	25
NAYS.	NAYS.
Messrs. Breck, Cadwallader, M'Meens,	Messrs. M'Mullin, Raguet,
	5.

So it was determined in the affirmative.

A motion was then made by Mr. Davidson and Mr. Eichelberger,

Further to postpone section 70, now 74, for the present, for the purpose of introducing a new section in the words following, to wit:

Section 74. And be it further enacted by the authority aforesaid, That if either of the persons appointed commissioners as aforesaid, shall die or remove out of the district for which he or they are appointed, or neglect to perform the duties assigned them by this act, the Court of Quarter Sessions of the proper county, where such vacancy may occur, is hereby authorised to supply such vacancy; and the said persons respectively, are hereby authorised and required to lay out the monies by them to be drawn, for the improvements mentioned in the preceding sections of this act, according to the best of their judgment and ability; and the said persons shall not, nor shall any of them, be concerned directly or indirectly in their private capacity, in any contract to be made by virtue of this act; and the said persons shall give bonds, payable to the commonwealth, with sufficient security, to the satisfaction of the judges of the Courts of Quarter Sessions, of the respective counties, which shall be filed in the clerk's office, conditioned for the faithful and judicious expenditure of said money, according to the true intent and meaning of this act, a certificate of which shall be given by said clerks respectively, and exhibited to the Governor, who shall thereupon draw his warrant on the state treasurer. And it shall be the duty of said persons or commissioners, within one year from and after the drawing or receiving of said money, or sooner if required, to exhibit their respective accounts, on oath or affirmation, to the Court of Quarter Sessions in which such bonds shall have been given, who shall have full power and authority.

to settle and adjust the same; but before the passing of such accounts, the said courts shall appoint three reputable citizens, whose duty it shall be to view the said roads, bridges or improvements, and they or a majority of them, report to the said courts respectively, whether such monies have been, in their opinion, judiciously expended or not; and if it shall appear to the courts, to whom such viewers are directed to make report, that the monies have not been judiciously expended, agreeably to the provisions of this act, the courts shall cause said bonds to be put in suit; and the said viewers shall receive like pay, and in like manner, as the commissioners appointed by this act are to be paid."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

It was determined in the affirmative.

And said section being under consideration:

A motion was made by Mr. Davidson and Mr. Eichelberger, To postpone the further consideration of the same, together with section 74, for the present, which was agreed to.

Section 71, now 75, being under consideration, in the following words, viz.

"And be it further enacted by the authority aforesaid, That from and after the passage of this act, the state's interest in the several turnpike road and bridge companies, to which appropriations are made by the provisions of this act, shall remain uncumbered forever; and it shall be the duty of the president and managers of the different companies respectively, to cause an accurate account to be kept of all the tolls received, and after deducting the necessary expenses for keeping the road or bridge in repair, and collecting the toll, to pay semi annually, into the state treasury, the amount due the state, in the proportion which the state stock bears to the whole cost of the road or bridge."

A motion was made by Mr. Cochran and Mr. Raguet,

To amend the same, by inserting after the word "stock," in line nine, the following words, to wit: "hereby authorised to be subscribed for, the amount of which shall actually be paid."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Davidson and Mr. Winter, and are as follow, to wit:



YEAS.	YEAS.
Messrs. Allshouse, Breck, Cadwallader, Cochran, Coleman, Conyngham, Feger, Grosh, Hubley,	Messrs. Hurst, M'Meens, M'Mullin, Piper, Power, Raguet, Sawyer, Wallace, Marks, Speaker, 18
NAYS.	NAYS.
Messrs. Alter, Barnard, Davidson, Eichelberger, Eyster, Fry,	Messrs. Hill, Leib, Markley, Smith, Willett, Winter, 12

So it was determined in the affirmative.

A motion was then made by Mr. Wallace and Mr. Breck,  
Further to amend said section, by adding to the end thereof  
the following words, to wit:

"Provided nevertheless, That the provisions of this section  
shall not be extended to any of the incorporations for the building  
of bridges or roads, that are now in debt, until their said debts  
are discharged, but as soon as their debts are discharged, then  
the provisions of the said section to be in full force and effect,  
notwithstanding this proviso."

On the question,  
Will the Senate agree so to amend?

It was determined in the negative; and

On the question,  
Will the Senate agree to said section as amended? as follows,  
viz.

"And be it further enacted by the authority aforesaid, That  
from and after the passage of this act, the state's interest in the  
several turnpike road and bridge companies, to which appropri-  
ations are made by the provisions of this act, shall remain unin-  
cumbered forever; and it shall be the duty of the president and  
managers of the different companies respectively, to cause an  
accurate account to be kept of all the tolls received; and after  
deducting the necessary expenses for keeping the road or bridge

in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock, hereby authorised to be subscribed for, the amount of which shall actually be paid, bears to the whole cost of the road or bridge.”

The yeas and nays were required by Mr. Davidson and Mr. Hill, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Davidson, Eichelberger, Eyster, Fry, Grosh, Hurst,	Messrs. Markley, M'Meens, Power, Smith, Willett, Winter, Marks, speaker,
	13
NAYS.	NAYS.
Messrs. Allshouse, Breck, Cadwallader, Cochran, Coleman, Conyngham, Dickerson, Feger,	Messrs. Hill, Hubley, Leib, M'Mullin, Piper, Raguet, Sawyer, Wallace,
	16

So it was determined in the negative.

Section now 75, being under consideration:

A motion was made by Mr. Davidson and Mr. Alter,

To amend the same, by adding to the end thereof the following proviso, to wit:

“Provided, That if in the settlement of the accounts for work done, any misunderstanding should arise, or shall have arisen, to prevent the settlement of any account, the amount in dispute shall be certified to the state treasurer, and shall be retained until the dispute shall be settled; and when thus certified, shall be considered as if settled agreeably to this section, so far as to enable the company to draw the surplus.”

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Hubley and Mr. Feger, Further to amend said section, by adding to the end thereof the following words, to wit:

"And provided also, That nothing herein contained, shall extend to the section making an appropriation to the Centre turn-pike road, leading from Reading to Sunbury."

On the question,  
Will the Senate agree so to amend?  
It was determined in the affirmative; and

On the question,  
Will the Senate agree to said section?

The yeas and nays were required by Mr. Davidson and Mr. Raguet, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Fry, Hill,	Messrs. Hurst, Leib, Markley, M'Meens, Piper, Power, Smith, Willett, Winter, Marks, Speaker. 20
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Feger, Grosh,	Messrs. Hubley, M'Mullin, Raguet, Sawyer, Wallace, 11

So it was determined in the affirmative.

The section offered by Mr. Davidson, this morning, to be numbered 74, recurring, and being under consideration, was withdrawn.

A motion was then made by Mr. M'Meens and Mr. Power, Further to postpone section 70, now 74, for the purpose of introducing the section just withdrawn by Mr. Davidson; which was agreed to, and the section was then agreed to.

A motion was then made by Mr. Davidson and Mr. Eichelberger,

Further to postpone section 70, now 75, for the purpose of introducing a new section in the following words, to wit:

"Section 75. And be it further enacted by the authority aforesaid, That the state's interest in the several turnpike road and bridge companies, to which appropriations are made by the provisions of this act and to which the state has not heretofore subscribed stock, as well as those which have not commenced their operations, although the state may have heretofore subscribed to the same, shall remain unincumbered for ever; and it shall be the duty of the president and managers of the said companies respectively, to cause an accurate account to be kept of all the tolls received; and after deducting the necessary expenses for keeping the road or bridge in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock bears to the whole cost of the road or bridge."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

It was determined in the affirmative.

Whereupon,

On motion,

The Senate adjourned until half-past three o'clock this afternoon.

## SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act for the Improvement of the State;" the same having been under consideration when the Senate adjourned this morning.

Section 75 recurring, and having been considered:

On the question,

Will the Senate agree to said section? as follows, viz.

"Section 75. And be it further enacted by the authority aforesaid, That the state's interest in the several turnpike road and bridge companies, to which appropriations are made by the provisions of this act, and to which the state has not heretofore sub-

scribed stock, as well as those which have not commenced their operations, although the state may have heretofore subscribed to the same, shall remain unincumbered forever; and it shall be the duty of the president and managers of the said companies respectively, to cause an accurate account to be kept of all the tolls received, and after deducting the necessary expenses for keeping the road or bridge in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock bears to the whole cost of the road or bridge."

The yeas and nays were required by Mr. Davidson and Mr. Smith, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs. Allshouse,</b> <b>Alter,</b> <b>Barnard,</b> <b>Breck,</b> <b>Cochran,</b> <b>Conyngham,</b> <b>Davidson,</b> <b>Dickerson,</b> <b>Eichelberger,</b> <b>Eyster,</b>	<b>Messrs. Feger,</b> <b>Hubley,</b> <b>Hurst,</b> <b>Leib,</b> <b>M'Meens,</b> <b>Piper,</b> <b>Power,</b> <b>Smith,</b> <b>Willett,</b> <b>Marks, speaker.</b> <b>20.</b>
NAYS.	NAYS.
<b>Messrs. Cadwallader,</b> <b>Coleman,</b> <b>Hill,</b> <b>M'Mullin,</b>	<b>Messrs. Raguet,</b> <b>Sawyer,</b> <b>Wallace,</b> <b>7</b>

So it was determined in the affirmative.

Section 70, now 76, was considered and agreed to.  
The title being agreed to.

On the question,  
Shall this bill be prepared for a third reading?

The yeas and nays were required by Mr. Eichelberger and Mr. Willett, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs. Allshouse,</b> <b>Breck,</b> <b>Cadwallader,</b>	<b>Messrs. Cochran,</b> <b>Conyngham,</b> <b>Davidson,</b>

YEAS.	YEAS.
Messrs. Dickerson, Eyster, Feger, Hubley, Hurst, Leib, M'Meens,	Messrs. M'Mullin, Piper, Power, Raguet, Sawyer, Marks, Speaker.
	19
NAYS.	NAYS.
Messrs. Alter, Barnard, Coleman, Eichelberger,	Messrs. Fry, Smith, Wallace, Willett.
	8

So it was determined in the affirmative.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill entitled

"An act to abolish the office of Attorney-General, and prescribing the manner of appointing attorneys of the commonwealth and their duties."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Leib and Mr. Winter,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to provide for the education of children at the public expense within the city and county of Philadelphia;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Markley and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill entitled

"An act authorising the president and managers of the Pawlingsford Bridge, over the river Schuylkill, to sell and transfer all their corporate rights and property."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Alter and Mr. Sawyer,  
The Senate resolved itself into a committee of the whole,  
Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"An act for the more convenient education of the poor, gratis, within the county of Cumberland."

And after some time,  
The committee rose and reported said bill with amendments.

On motion of Mr. Cochran and Mr. Power,  
The Senate resolved itself into a committee of the whole,  
Mr. Raguet in the chair, on the bill entitled

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

And after some time,  
The committee rose and reported said bill with amendments.

On motion of Mr. Hubley and Mr. Raguet,  
The Senate resumed the second reading and consideration of the bill, entitled

"An act to regulate proceedings in the action of account render;" postponed for the present, on the twenty-second of February.

Section five recurring, and being under consideration:

A motion was made by Mr. Hubley and Coleman,

To postpone the further consideration of the same, for the present, for the purpose of re-considering the first section.

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

It was determined in the affirmative; and

On the question,

Will the Senate re-consider the first section?

It was determined in the affirmative; and the same being under consideration:

A motion was made by Mr. Hubley and Mr. Coleman,

To amend said section, by adding to the end thereof the following words, to wit:

"And shall also make and annex to their report, from the accounts of the parties, their allegations and proofs, such an account between them as they shall think just, which account shall result in the balance reported in their award."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Smith and Mr. Coleman,  
To postpone the further consideration of said question, together with the section and bill, until to-morrow, which was agreed to.

On motion of Mr. Wallace and Mr. Markley,  
The bill entitled

"An act authorising the judges of the District Court, of the city and county of Lancaster, to try certain causes in Huntingdon county;" was read the second time, as reported by a committee of the whole, on the third of February last.

Section one having been considered:

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Davidson and Mr. Willett, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Breck, Cochran, Conyngham,	Messrs. Markley, Raguet, Wallace,
	7
NAYS.	NAYS.
Messrs. Alter, Coleman, Davidson, Eyster, Grosh, Hill, Hubley, Hurst,	Messrs. M'Meens, M'Mullin, Power, Sawyer, Smith, Willett, Marks, speaker,
	15

So it was determined in the negative, and the bill lost.

Mr. Hill read in his place, and presented to the chair, the following protest to wit:

The undersigned *protests* against the enactment of the seventy-fifth section of the bill entitled "An act for the improvement of the state;" which is in the words following, to wit:

"That the state's interest in the several turnpike road and bridge companies, to which appropriations are made by the provisions of this act, and to which the state has not heretofore subscribed stock, as well as those which have not commenced their



operations, although the state may have heretofore subscribed to the same, shall remain unincumbered forever; and it shall be the duty of the president and managers of the said companies respectively, to cause an accurate account to be kept of all the tolls received, and after deducting the necessary expenses for keeping the road or bridge in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock bears to the whole cost of the road or bridge."

First. BECAUSE all state funds being public property, do, so long as they remain vested in public stocks, necessarily remain subject to the control, direction and disposition of each succeeding legislature, in their legislative and representative capacity; or subject to the control, &c. of such person or persons as each succeeding legislature may think expedient from time to time to place over, or to vest, by a legislative act with the directionship of any such public funds or stocks; any of which persons may at any time be displaced, and the public funds or stocks put under the direction of any other person or persons, by virtue of any subsequent act of the legislature, and so on ad infinitum; each succeeding legislature having all the powers and prerogatives, which any former legislature were vested with or could constitutionally exercise.

Second. BECAUSE it is provided by the eleventh section of the ninth article of the constitution of Pennsylvania, that "suits may be brought against the commonwealth, in such manner, in such courts and in such cases as the legislature may by law direct." Evidently implying that the state cannot be sued unless the legislature direct the manner of bringing suits and specify the court before whom, and the case in which such suit shall be brought, and as evidently implying that no judgement can be entered against the commonwealth, nor any of her public funds or stocks be levied on or sold by distress of any execution whatever, unless such judgment and sale shall have been authorised by an act of the legislature, made for that special purpose, nor can any of the state's funds or stocks be incumbered by the debts of individuals or of bodies corporate or politic.

Third. BECAUSE it cannot, by a liberal and fair construction of any former act of the legislature, be supposed that the legislature when authorising the former subscriptions to be made, did intend that the state subscriptions should be jointly bound with the stock of the individual subscribers for the payment of the company's debts, nor that the dividends, or proceeds arising on the state's stock should be applied to the payment of the debts of the company.

in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock, hereby authorised to be subscribed for, the amount of which shall actually be paid, bears to the whole cost of the road or bridge.”

The yeas and nays were required by Mr. Davidson and Mr. Hill, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Davidson, Eichelberger, Eyster, Fry, Grosh, Hurst,	Messrs. Markley, M'Meens, Power, Smith, Willett, Winter, Marks, speaker,
	13
NAYS.	NAYS.
Messrs. Allshouse, Breck, Cadwallader, Cochran, Coleman, Conyngham, Dickerson, Feger,	Messrs. Hill, Hubley, Leib, M'Mullin, Piper, Raguet, Sawyer, Wallace,
	16

So it was determined in the negative.

Section now 75, being under consideration:

A motion was made by Mr. Davidson and Mr. Alter,

To amend the same, by adding to the end thereof the following proviso, to wit:

“Provided, That if in the settlement of the accounts for work done, any misunderstanding should arise, or shall have arisen, to prevent the settlement of any account, the amount in dispute shall be certified to the state treasurer, and shall be retained until the dispute shall be settled; and when thus certified, shall be considered as if settled agreeably to this section, so far as to enable the company to draw the surplus.”

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative.

A motion was then made by Mr. Hubley and Mr. Feger,  
Further to amend said section, by adding to the end thereof  
the following words, to wit:

"And provided also, That nothing herein contained, shall ex-  
tend to the section making an appropriation to the Centre turn-  
pike road, leading from Reading to Sunbury."

On the question,  
Will the Senate agree so to amend?  
It was determined in the affirmative; and

On the question,  
Will the Senate agree to said section?

The yeas and nays were required by Mr. Davidson and Mr.  
Raguet, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Fry, Hill,	Messrs. Hurst, Leib, Markley, M'Meens, Piper, Power, Smith, Willett, Winter, Marks, Speaker. 20
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Feger, Grosh,	Messrs. Hubley, M'Mullin, Raguet, Sawyer, Wallace, 11

So it was determined in the affirmative.

The section offered by Mr. Davidson, this morning, to be num-  
bered 74, recurring, and being under consideration, was with-  
drawn.

A motion was then made by Mr. M'Meens and Mr. Power,  
Further to postpone section 70, now 74, for the purpose of in-  
troducing the section just withdrawn by Mr. Davidson; which  
was agreed to, and the section was then agreed to.

A motion was then made by Mr. Davidson and Mr. Eichel-  
berger,

Further to postpone section 70, now 75, for the purpose of introducing a new section in the following words, to wit:

"Section 75. And be it further enacted by the authority aforesaid, That the state's interest in the several turnpike road and bridge companies, to which appropriations are made by the provisions of this act and to which the state has not heretofore subscribed stock, as well as those which have not commenced their operations, although the state may have heretofore subscribed to the same, shall remain unincumbered for ever; and it shall be the duty of the president and managers of the said companies respectively, to cause an accurate account to be kept of all the tolls received; and after deducting the necessary expenses for keeping the road or bridge in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock bears to the whole cost of the road or bridge."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

It was determined in the affirmative.

Whereupon,

On motion,

The Senate adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act for the Improvement of the State;" the same having been under consideration when the Senate adjourned this morning.

Section 75 recurring, and having been considered:

On the question,

Will the Senate agree to said section? as follows, viz.

"Section 75. And be it further enacted by the authority aforesaid, That the state's interest in the several turnpike road and bridge companies, to which appropriations are made by the provisions of this act, and to which the state has not heretofore sub-

scribed stock, as well as those which have not commenced their operations, although the state may have heretofore subscribed to the same, shall remain unincumbered forever; and it shall be the duty of the president and managers of the said companies respectively, to cause an accurate account to be kept of all the tolls received, and after deducting the necessary expenses for keeping the road or bridge in repair, and collecting the toll, to pay semi-annually into the state treasury, the amount due the state, in the proportion which the state stock bears to the whole cost of the road or bridge."

The yeas and nays were required by Mr. Davidson and Mr. Smith, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck, Cochran, Conyngham, Davidson, Dickerson, Eichelberger, Eyster,	Messrs. Feger, Hubley, Hurst, Leib, M'Meens, Piper, Power, Smith, Willett, Marks, speaker. 20
NAYS.	NAYS.
Messrs. Cadwallader, Coleman, Hill, M'Mullin,	Messrs. Raguet, Sawyer, Wallace, 7

So it was determined in the affirmative.

Section 70, now 76, was considered and agreed to,  
The title being agreed to.

On the question,  
Shall this bill be prepared for a third reading?

The yeas and nays were required by Mr. Eichelberger and Mr. Willett, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Breck, Cadwallader,	Messrs. Cochran, Conyngham, Davidson,

YEAS.	YEAS.
Messrs. Dickerson, Eyster, Feger, Hubley, Hurst, Leib, M'Meens,	Messrs. M'Mullin, Piper, Power, Raguet, Sawyer, Marks, Speaker.
	19
NAYS.	NAYS.
Messrs. Alter, Barnard, Coleman, Eichelberger,	Messrs. Fry, Smith, Wallace, Willett.
	8

So it was determined in the affirmative.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill entitled

"An act to abolish the office of Attorney-General, and prescribing the manner of appointing attorneys of the commonwealth and their duties."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Leib and Mr. Winter,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to provide for the education of children at the public expense within the city and county of Philadelphia;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Markley and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill entitled

"An act authorising the president and managers of the Pawlingsford Bridge, over the river Schuylkill, to sell and transfer all their corporate rights and property."

And after some time,

The committee rose and reported said bill without amendment.

On motion of Mr. Alter and Mr. Sawyer,  
The Senate resolved itself into a committee of the whole,  
Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"An act for the more convenient education of the poor, gratis, within the county of Cumberland."

And after some time,  
The committee rose and reported said bill with amendments.

On motion of Mr. Cochran and Mr. Power,  
The Senate resolved itself into a committee of the whole,  
Mr. Raguet in the chair, on the bill entitled

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

And after some time,  
The committee rose and reported said bill with amendments.

On motion of Mr. Hubley and Mr. Raguet,  
The Senate resumed the second reading and consideration of the bill, entitled

"An act to regulate proceedings in the action of account render;" postponed for the present, on the twenty-second of February.

Section five recurring, and being under consideration:  
A motion was made by Mr. Hubley and Coleman,  
To postpone the further consideration of the same, for the present, for the purpose of re-considering the first section.

On the question,  
Will the Senate agree to postpone for the purpose aforesaid?

It was determined in the affirmative; and

On the question,  
Will the Senate re-consider the first section?  
It was determined in the affirmative; and the same being under consideration:

A motion was made by Mr. Hubley and Mr. Coleman,  
To amend said section, by adding to the end thereof the following words, to wit:

"And shall also make and annex to their report, from the accounts of the parties, their allegations and proofs, such an account between them as they shall think just, which account shall result in the balance reported in their award."

On the question,  
Will the Senate agree so to amend?

## SAME DAY—IN THE AFTERNOON.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill entitled

"An act for the regulation of the militia of this commonwealth."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

On motion of Mr. Raguet and Mr. Fry,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

"An act to prohibit the circulation of bank notes of a less denomination than five dollars."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Raguet and Mr. Power, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Cochran,  
Conyngham,  
Davidson,  
Dickerson,  
Hubley,  
Hurst,

## YEAS.

Messrs. Power,  
Sawyer,  
Smith,  
Willett,  
Winter,  
Marks, speaker,

18

## NAYS.

Messrs. Alter,  
Barnard,  
Breck,  
Cadwallader,  
Coleman,  
Eyster,

## NAYS.

Messrs. Fry,  
Grosh,  
Markley,  
M'Mullin,  
Raguet,  
Wallace,

12

So it was determined in the affirmative, and the bill lost.

Adjourned until 9 o'clock to-morrow morning.



**SATURDAY, March 17, 1821.**

Mr. Raguet, from the committee on education, reported a bill entitled

"An act for the relief of the Northumberland and Norristown Academies;" which was read the first time.

The bill entitled

"An act to abolish the office of Attorney-General, and prescribing the manner of appointing attorneys of the commonwealth, and their deputies;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Cadwallader and Mr. Leib, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Eyster, Fry, Hurst, Markley,	Messrs. M'Meens, Piper, Power, Sawyer, Smith, Wallace, Willett, Winter, Marks, speaker, 18
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Feger,	Messrs. Gresh, Hubley, Leib, M'Mullin, Raguet, 10

So it was determined in the affirmative.

The bill entitled

"A further supplement to the act entitled "An act laying a tax on dogs, in certain counties, and for other purposes;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act authorising the president and managers of the Pawlingsford Bridge, over the river Schuylkill, to sell and transfer all their corporate rights and property;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act relating to proceedings in the action of account render;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled

"An act for the more convenient education of the poor, gratis, within the county of Cumberland;" was read the second time, as reported by a committee of the whole yesterday.

The sections were severally considered and agreed to.

The title was agreed to, after being amended by making the word "county" read "counties," and by inserting after the word "Cumberland," the words "Dauphin and Lancaster."

Ordered, that said bill be prepared for a third reading.

On motion of Mr. Raguet and Mr. Breck,

The Senate resumed the consideration of the report of the committee of the whole, disagreeing on the sixth instant, to the bill from the House of Representatives, entitled

"An act for the relief of William Strickland, of the city of Philadelphia."

The question recurring,

Will the Senate agree to said report?

The yeas and nays were required by Mr. M'Meens and Mr. Hurst, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Eyster,  
Feger,  
Fry,  
Hurst,  
M'Meens,

YEAS.

Messrs. Piper,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Winter,  
Marks, Speaker, 14

## NAYS.

Messrs. Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,

## NAYS.

Messrs. Grosh,  
Hubley,  
Leib,  
Markley,  
M'Mullin,  
Raguet,

13

So it was determined in the affirmative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill from the House of Representatives, entitled

"An act to confirm the title of David Walp to certain real estate therein mentioned."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"A supplement to an act passed the sixteenth day of March, one thousand eight hundred and nineteen, entitled "An act relative to the claim of the commonwealth against Peter Baynton, and against the estate of John Nicholson, deceased."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Saturday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act to extend and revive the charter of the bank of North America."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Raguet and Mr. Breck,

To postpone the further consideration of said report, together with the bill, for the present, which was agreed to.

The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, to wit:

"An act to erect the town of Kittanning, in the county of Armstrong, into a borough."

"A further supplement to the act entitled "An act to enable the Governor to appoint Notaries Public, and for other purposes."

"An act annulling the marriage contracts of William Stewart and Martha, his wife, and Alexander Long and Mary, his wife."

"A supplement to an act entitled "An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes," passed the twenty-third day of February, one thousand eight hundred and nine.

He returned the bill entitled

"An act to authorise the Roman Catholic Society, worshipping at the church of St. Mary's, in Philadelphia, to amend their charter of incorporation."

And informed, that the House of Representatives have passed the same without amendment.

The bills presented for concurrence were severally read the first time.

On motion of Mr. Breck and Mr. Power;

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill entitled

"A supplement to the act entitled "An act for the gradual abolition of Slavery."

And after some time,

The committee rose, and reported said bill with amendments.

On motion of Mr. Allshouse and Mr. Alter,

The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill from the House of Representatives, entitled

"An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough."

And after some time,

The committee rose and reported said bill without amendment.

Mr. Hubley read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act for the removal of certain actions of ejectment for

lands, in Schuylkill county, which were instituted in Berks county, before the division thereof," which was read the first time.

On motion of Mr. Hubley and Mr. Raguet,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill entitled

"An act to raise by way of Lottery a sum not exceeding twelve hundred dollars, to defray the expenses of building a church in the town of M'Keansburg, in the county of Schuylkill."

And after some time,

The committee rose, and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Hubley and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck, Cadwallader, Cochran, Conyngham, Davidson, Eyster, Fry, Hill, Hurst,	Messrs. Markley, M'Mullin, Piper, Power, Raguet, Sawyer, Smith, Wallace, Willett, Winter, Marks, Speaker.
29	
NAYS.	NAYS.
Messrs. Grosh, Hubley,	Mr. Leib,
	3

So it was determined in the affirmative, and the bill lost.

A motion was made by Mr. Markley and Mr. Cadwallader,

That when the Senate adjourns, it will adjourn until 9 o'clock on Monday morning, which was agreed to.

On motion of Mr. Raguet and Mr. Markley,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves, within this commonwealth;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion of Mr. Alter and Mr. Allshouse,

The rule for going into a committee of the whole being in this case dispensed with, the bill entitled

"An act authorising the Auditor-General to settle and adjust the accounts of John M'Carroll;" was read the second time.

The section was considered and agreed to.

The title was agreed to, after being amended by adding to the end thereof the words "of Cumberland county."

Ordered, That said bill be prepared for a third reading.

On motion of Mr. M'Mullin and Mr. Raguet,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act supplementary to an act entitled "An act to incorporate the township of Moyamensing, in Philadelphia county, passed the twenty-fourth March, one thousand eight hundred and twelve;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Adjourned until 9 o'clock on Monday morning.

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## MONDAY, March 19, 1821.

Mr. Piper presented a petition from sundry inhabitants of Bedford county, praying for the establishment of a Loan-Office; and

The same was read and laid on the table.

Mr. M'Meens presented a petition from sundry inhabitants of Lycoming county, praying that an appropriation may be

made to aid in the erection of a bridge over Pine-Creek, in said county; and

The same was read and laid on the table.

The bill from the House of Representatives, entitled

"An act for the more convenient education of the poor, gratis, within the county of Cumberland;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth;" was read the third time; and

Resolved, That it pass.

The bill from the House of Representatives, entitled

"An act supplementary to an act entitled "An act to incorporate the township of Moyamensing, in Philadelphia county, passed the twenty-fourth March, one thousand eight hundred and twelve;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill entitled

"An act authorising the Auditor-General to settle and adjust the accounts of John M'Carroll, of Cumberland county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bill to the House of Representatives for their concurrence.

The bill entitled

"A supplement to the act entitled "An act for the gradual abolition of slavery;" was read the second time, as reported by a committee of the whole on Saturday last.

The section being under consideration:

A motion was made by Mr. Coleman and Mr. Smith,

To postpone the further consideration of the same, together with the bill, until to-morrow, which was not agreed to.

A motion was then made by Mr. Smith and Mr. Conyngham,

To postpone the further consideration of said section and bill, for the present, and to commit said bill to a special committee.

On the question,  
Will the Senate agree to said motion?

The yeas and nays were required by Mr. Davidson and Mr. Hubley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Coleman, Conyngham, Dickerson, Feger, Fry,	Messrs. Hill, M'Meens, M'Mullin, Piper, Smith, Winter,
	13
NAYS.	NAYS.
Messrs. Allshouse, Breck, Cadwallader, Cochran, Davidson, Grosh, Hubley, Hurst,	Messrs. Leib, Markley, Power, Raguet, Sawyer, Wallace, Willett. Marks, Speaker,
	16

So it was determined in the negative.

A motion was then made by Mr. Hill and Mr. Hurst,  
To amend said section, by inserting after the word "parents,"  
in line five, the following words, to wit:

"Nor shall any negro or mulatto person, being born, or who shall hereafter be born in any other place, be bound to service in this commonwealth, for any longer time or on any other condition than children born of white parents are or can be bound or held to service."

On the question,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. Hill and Mr. M'Meens, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Cadwallader,	Messrs. Coleman, Conyngham, Dickerson,



YEAS.	YEAS.
Messrs. Feger, Fry, Hill, Hubley, Hurst, Markley,	M'Meens, M'Mullin, Piper, Wallace, Winter, Marks, Speaker, 18
NAYS.	NAYS.
Messrs. Allshouse, Breck, Cochran, Davidson, Grosh,	Power, Raguet, Sawyer, Smith, Willett, 10

So it was determined in the affirmative.

A motion was then made by Mr. Breck and Mr. Smith,  
To postpone the further consideration of said section and  
bill indefinitely.

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Markley and Mr.  
Smith, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck, Cochran, Conyngham, Fry,	Messrs. Grosh, Power, Raguet, Sawyer, Smith, 11
NAYS.	NAYS.
Messrs. Barnard, Cadwallader, Coleman, Davidson, Dickerson, Eyster, Feger, Hill, Hubley,	Messrs. Hurst, Markley, M'Meens, M'Mullin, Piper, Wallace, Willett, Marks, speaker, 17

So it was determined in the negative.

A motion was then made by Mr. Smith and Mr. Raguet,  
To postpone the further consideration of said section and bill  
for the present; and

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Davidson and Mr.  
Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck, Cochran, Conyngham, Eyster, Fry,	Messrs. Grosh, Piper, Power, Raguet, Sawyer, Smith, Winter, 14
NAYS.	NAYS.
Messrs. Barnard, Cadwallader, Coleman, Davidson, Dickerson, Feger, Hill, Hubley,	Messrs. Hurst, Markley, M'Meens, M'Mullin, Wallace, Willett, Marks, speaker, 15

So it was determined in the negative; and

On the question,  
Will the Senate agree to said section as amended?

The yeas and nays were required by Mr. Davidson and Mr.  
M'Meens, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Cadwallader, Coleman, Davidson, Dickerson, Feger,	Hill, Hubley, Hurst, Markley, M'Meens, M'Mullin,

## YEAS.

Messrs. Piper,  
Power,  
Wallace,

## NAYS.

Messrs. Allshouse,  
Alter,  
Breck,  
Cochran,  
Conyngham,

## YEAS.

Messrs. Willett,  
Winter,  
Marks, speaker, 13

## NAYS.

Messrs. Fry,  
Grosh,  
Raguet,  
Sawyer,  
Smith, 16

So it was determined in the affirmative.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

The bill from the House of Representatives, entitled

“An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough,” was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

“An act to confirm the title of Daniel Walp to certain real estate therein mentioned,” was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, to wit:

“A further supplement to an act entitled “An act to appoint commissioners to regulate the streets, lanes and alleys in the district of Southwark, and to lay out new streets, lanes and alleys therein, for the accommodation of the inhabitants, and to lay out the roads therein mentioned through the said district and parts of the townships of Moyamensing and Passyunk,” passed the twenty-ninth September one thousand seven hundred and eighty-seven.”

An act to continue in force “An act for the appraisement of estates taken in execution.”

Said bills were severally read the first time.

So it was determined in the negative.

A motion was then made by Mr. Smith and Mr. Raguet,  
To postpone the further consideration of said section and bill  
for the present; and

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Davidson and Mr.  
Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck, Cochran, Conyngham, Eyster, Fry,	Messrs. Grosh, Piper, Power, Raguet, Sawyer, Smith, Winter, 14
NAYS.	NAYS.
Messrs. Barnard, Cadwallader, Coleman, Davidson, Dickerson, Feger, Hill, Hubley,	Messrs. Hurst, Markley, M'Meens, M'Mullin, Wallace, Willett, Marks, speaker, 15

So it was determined in the negative; and

On the question,  
Will the Senate agree to said section as amended?

The yeas and nays were required by Mr. Davidson and Mr.  
M'Meens, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Barnard, Cadwallader, Coleman, Davidson, Dickerson, Feger,	Hill, Hubley, Hurst, Markley, M'Meens, M'Mullin,

YEAS.	YEAS.
Messrs. Piper, Power, Wallace,	Messrs. Willett, Winter, Marks, speaker, 18
NAYS.	NAYS.
Messrs. Allshouse, Alter, Breck, Cochran, Conyngham,	Messrs. Fry, Grosh, Raguet, Sawyer, Smith, 10

So it was determined in the affirmative.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

The bill from the House of Representatives, entitled

"An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough," was read the second time as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"An act to confirm the title of Daniel Walp to certain real estate therein mentioned," was read the second time, as reported by a committee of the whole on Saturday last, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, to wit:

"A further supplement to an act entitled "An act to appoint commissioners to regulate the streets, lanes and alleys in the district of Southwark, and to lay out new streets, lanes and alleys therein, for the accommodation of the inhabitants, and to lay out the roads therein mentioned through the said district and parts of the townships of Moyamensing and Passyunk," passed the twenty-ninth September one thousand seven hundred and eighty-seven."

An act to continue in force "An act for the appraisement of estates taken in execution."

Said bills were severally read the first time.

such dam or device shall be commenced, and if in the opinion of the said commissioners, the erection of such proposed dam or device would be injurious to the navigation, the same shall not be erected, &c. The same committee recommended in the second place, that commissioners be appointed by each of the two states, to view the injuries done to the navigation by dams already erected, &c. and that "the said commissioners shall be specially instructed to take into view any obstructions occasioned by the dams from Yard's Island to the Jersey Shore, especially such as may have been erected or created since the communication to the Governor of New-Jersey, of the resolution passed by the legislature of this state, on the 21st of February, 1815, and to insist, as a preliminary measure to amicable adjustment, on such alterations being made therein, so as effectually to remove all impediments to the free navigation of the river. But the act of the state of New-Jersey, above referred to, after providing for the appointment of commissioners, as recommended by the committee of Senate of this state, provides in express terms; *"that such commissioners are not required to insist on any preliminaries in relation to any particular dam or dams,"* to agree to which, your committee consider would be an improper relinquishment of jurisdiction to the river, on the part of this commonwealth:

Therefore,

Resolved, That the committee be discharged from any further consideration of the subject.

On motion,

Said report was again read, and the resolution thereto attached considered and adopted.

Mr. Raguet, from the committee on education, to whom was referred, on the 10th instant, the message of the Governor, accompanied by documents transmitted to him by the Executive of the state of Maryland, relative to the subject of appropriations of public land for the support of common schools, made report, which was read as follows, to wit:

That they have examined the documents submitted to them by the Senate, and have found therein information of a highly important nature. There is little doubt but that Pennsylvania, in common with the other Atlantic States, is as justly entitled, *for purposes of education*, to a share of the public lands of the United States, whether acquired by conquest, cession or purchase, as the new states or territories, within the geographical limits of which they are situated. If the calculation, to which reference has been had, be correct, this state, in order to be placed on an

equality with the western states, to which appropriations of land for public schools have been or will be made, would be entitled to nearly *one million of acres*, which, if estimated at the low price of one dollar an acre; would lay the foundation for a fund that would ultimately be adequate to bring instruction to the door of every family in the commonwealth.

The documents alluded to, are recorded on the journals of the Senate, from pages 576 to 592, and as they can be viewed at length by the members, it is deemed inexpedient to recapitulate their details. The legislature of Maryland has adopted a resolution, requesting their senators and representatives in congress, to bring the subject before that body, and if measures of co-operation are pursued by the other states interested in the question, they cannot fail of success. The recess of congress at this time, renders a delay to express the opinion of Pennsylvania unavoidable, but your committee earnestly recommend, that the subject be taken up by the next legislature, at the earliest possible day, and that its views in relation to the justice of the claim, be promptly communicated to the general government.

Ordered, To lie on the table.

Mr. Breck read in his place, and presented to the chair, the following protest to wit:

*Senate Chamber, 20th March, 1821.*

The undersigned, believing it to be contrary to every principle of justice, to hold a fellow-being in perpetual servitude, introduced into the Senate, on the 19th of last February, a bill for the total abolition of slavery in Pennsylvania. His wish was to give entire and unconditional freedom to those unhappy people who are still held in bondage, under the law of March, 1780.—His efforts were not successful: Senate decided by a majority of one vote that it was inexpedient to pass the bill. He then read in his place a bill containing the following provision: "That every negro or mulatto child born in this commonwealth after the passage of this act, shall be henceforward and forever, to all intents and purposes, as free as if born of white parents; any law or laws to the contrary notwithstanding."

This was meant as an explanatory act to the law of 1780, the fourth section of which declares, "that every negro and mulatto child born within this state after the passing of this act, (who would in case this act had not been made, have been born a servant for years, or life, or a slave,) shall be deemed to be, and shall be, by virtue of this act, the servant of such person, or his or her assigns, who would in such case have been entitled to the

**Ordered, That Mr. Breck, Mr. Davidson, Mr. Hill, Mr. Hars and Mr. Hubley, be the committee.**

The clerk of the House of Representatives being introduced presented for concurrence a bill entitled

**"An act for the relief of Captain Robert Orr, of the county of Armstrong;"** which was read the first time.

He informed, that the House of Representatives have concurred in the amendment by the Senate to the bill entitled

**"A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within the commonwealth."**

The bill from the House of Representatives, entitled

**"An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough;"** was read the third time; and

**Resolved, That it pass.**

The bill from the House of Representatives, entitled

**"An act to confirm the title of Daniel Walp to certain real estate therein mentioned;"** was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same without amendment.**

A motion was made by Mr. Coleman and Mr. M'Meens,

They having voted in the majority, to re-consider the vote disagreeing, on the 25th instant, to the bill entitled

**"An act authorising the judge of the District Court of the city and county of Lancaster to try certain causes in Huntingdon county."**

On the question,

**Will the Senate agree so to re-consider?**

It was determined in the affirmative.

Section one recurring, and being under consideration:

A motion was made by Mr. Coleman and Mr. M'Meens,

To amend the same, by inserting before the word "district," in line ten, the words "ninth judicial," and by striking from line eleven, the words "court of the city and county of Lancaster."

On the question,

**Will the Senate agree so to amend?**



Believing that this amendment will have these effects, he prefers to vote against the whole bill, rather than sanction a doctrine, fraught to his mind, with consequences so cruel, and feeling it to be his duty so to do, he thinks proper, after this brief explanation of his views upon the subject, to enter his formal protest against the enactment into a law of any provision, which shall deprive a negro or mulatto, born a slave out of Pennsylvania, of a chance of obtaining his liberty by a commutation of his personal services, until the age of twenty-eight, in this state, for those of perpetual bondage elsewhere.

SAMUEL BBCK.

Ordered, To lie on the table.

The bill entitled

"A supplement to the act entitled "An act for the gradual abolition of slavery;" was read the third time.

Whereupon,

A motion was made by Mr. Breck and Mr. Smith,

To postpone the further consideration of said bill, for the present, and to commit the same to a special committee.

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Breck. Cochran, Conyngham, Grosh, Hubley,	Messrs. Markley, M'Mullin, Piper, Power, Raguet, Sawyer, Smith, 14
NAYS.	NAYS.
Messrs. Barnard, Cadwallader, Coleman, Davidson, Dickerson, Eichelberger,	Messrs. Fry, Hurst, M'Meens, Wallace, Willett, Marks, speaker, 12

So it was determined in the affirmative; and

**Ordered, That Mr. Breck, Mr. Davidson, Mr. Hill, Mr. Hurst and Mr. Hubley, be the committee.**

The clerk of the House of Representatives being introduced, presented for concurrence a bill entitled

**"An act for the relief of Captain Robert Orr, of the county of Armstrong;"** which was read the first time.

He informed, that the House of Representatives have concurred in the amendment by the Senate to the bill entitled

**"A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth."**

The bill from the House of Representatives, entitled

**"An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough;"** was read the third time; and

**Resolved, That it pass.**

The bill from the House of Representatives, entitled

**"An act to confirm the title of Daniel Walp to certain real estate therein mentioned;"** was read the third time; and

**Resolved, That it pass.**

**Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same without amendment.**

A motion was made by Mr. Coleman and Mr. M'Meens,

They having voted in the majority, to re-consider the vote disagreeing, on the 25th instant, to the bill entitled

**"An act authorising the judge of the District Court of the city and county of Lancaster to try certain causes in Huntingdon county."**

On the question,

**Will the Senate agree so to re-consider?**

**It was determined in the affirmative.**

Section one recurring, and being under consideration:

A motion was made by Mr. Coleman and Mr. M'Meens,

To amend the same, by inserting before the word "district," in line ten, the words "ninth judicial," and by striking from line eleven, the words "court of the city and county of Lancaster."

On the question,

**Will the Senate agree so to amend?**

The yeas and nays were required by Mr. Smith and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cochran, Coleman, Conyngham, Davidson, Feger, Grosh, Hill, Hubley, Leib,	Messrs. Markley, M'Meens, M'Mullin, Piper, Power, Raguet, Sawyer, Wallace, Willett, Marks, Speaker, 20.
NAYS.	NAYS.
Messrs. Allshouse, Alter, Eichelberger,	Messrs. Fry, Hurst, Smith, 6

So it was determined in the affirmative, and the section as amended was then agreed to.

Section two was then considered and agreed to.

The title was agreed to, after being amended to read as follows, to wit:

"An act authorising the President Judge of the ninth judicial district, to try certain causes in the counties of Huntingdon, Mifflin and Centre."

Ordered, That said bill be transcribed for a third reading.

Mr. Cochran read a bill in his place, and on leave given, presented the same to the chair, entitled

"An act to authorise the commissioners of Chester county, to purchase certain indexes;" which was read the first time.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill entitled

"An act for the regulation of the Militia of this commonwealth."

And after some time,

The committee rose and reported said bill with amendments.

Adjourned until half past three o'clock this afternoon.

## SAME DAY—IN THE AFTERNOON.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and resolution, and desired the Secretary of the Commonwealth to return the same to the House of Representatives, in which they originated, viz:

“An act authorising George Miller and others to drain a certain swamp in the county of Dauphin.”

“An act for the relief of James M’Ghee and others.”

“An act to encourage the apprehension of persons who shall have committed the crime of horse-stealing.”

“A supplement to an act entitled “An act erecting part of Cumberland county into a separate county, to be called Perry.”

“An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned;”

A resolution requiring the Secretary of the Commonwealth to supply each member of the Senate and House of Representatives, who have not heretofore received the same, with a copy of Smith’s edition of the Laws of Pennsylvania.

I have also to inform you, that instruments of supersedeas have been issued in conformity with the address of both Houses of the Legislature, for the removal from office of Edmund Russell, esquire, a justice of the peace in Bradford county, and of James M’Clellan, esquire, a justice of the peace in Chester county.

It is proper also to inform you, that I have caused to be printed and distributed as the law directs, two thousand copies of the act entitled “An act to alter and amend the Fee-Bill;” passed the twenty-second day of February last.

JOSEPH HIESTER.

March 15, 1821.

Ordered, To lie on the table.

**On motion of Mr. Leib and Mr. Power,**

The rule for going into a committee of the whole being in this case dispensed with, the bill entitled

"A further supplement to the act entitled "An act to incorporate the Kensington District of the Northern Liberties;" was read the second time.

The section being under consideration:

A motion was made by Mr. Raguett and Mr. Smith,

To postpone the further consideration of the same, together with the bill, for the present, and to recommend the same to the early attention of the next legislature, which was not agreed to; and the section was then agreed to.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

**On motion of Mr. M'Veens and Mr. Power,**

The "Address to the Governor for the removal from office of Salmon Keeny, a justice of the peace of Bradford county, read on the second instant, was again read, and the same being under consideration:

A motion was made by Mr. Hubley and Mr. Grosh,

To postpone the further consideration of the same, until to-morrow, which was agreed to.

**On motion of Mr. Dickerson and Mr. Piper,**

The Senate resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turn-pike road company."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cochran in the chair, on the bill entitled

"An act to authorise the trustees of Leonard Walter, to borrow money on mortgage."

And after some time,

The committee rose and reported the same without amendment.

On motion,

Said bill was read the second time; considered by section, and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Cochran and Mr. Cadwallader,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act to enable Abraham Rinehart and Isaac Rinehart, administrators of John Rinehart, deceased, to sell certain real estate of the intestate;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill entitled

"An act concerning Partnerships."

And after some time,

The committee rose, and reported said bill with amendments.

Adjourned until 9 o'clock to-morrow morning.



## WEDNESDAY, March 21, 1821.

Mr. Grosh presented a petition from sundry inhabitants of Lancaster county, praying for the establishment of a Loan-office; and

Said petition was read and laid on the table.

On motion of Mr. M'Meens and Mr. Power,

The order of the day, so far as relates to the "Address to the Governor for the removal of Salmon Keeney, a justice of the peace of Bradford county," was discharged; and

Ordered, that the said address be committed to a special committee; and that Mr. M'Meens, Mr. Conyngham, Mr. Markley, Mr. Fry and Mr. Grosh be the committee.

The bill entitled

"An act authorising the president judge of the ninth judicial district, to try certain causes in the counties of Huntingdon, Mifflin and Centre," was read the third time; and

Resolved, That it pass.

The bill entitled

"A further supplement to the act entitled "An act to incorporate the Kensington district of the Northern Liberties" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act to authorise the trustees of Leonard Walter to borrow money on mortgage" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled

"An act to enable Abraham Rinehart and Isaac Rinehart, administrators of John Rinehart, deceased, to sell certain real estate of the intestate," was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill entitled

"An act concerning partnerships," was read the second time as reported by a committee of the whole yesterday.

The section having been considered:

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. Raguet and Mr. Davidson, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Cadwallader,  
Cochran,  
Conyngham,  
Davidson,

YEAS.

Messrs. Eyster,  
Hill,  
Hubley,  
Hurst,  
Leib,  
Markley,  
M'Meens,

YEAS.		YEAS.	
Messrs. M'Mullin, Piper, Raguet, Sawyer,		Messrs. Smith, Wallace, Marks, speaker,	21
NAYS.		NAYS.	
Messrs. Breck, Coleman, Dickerson, Feger, Fry,		Messrs. Grosh, Power, Willett, Winter,	9

So it was determined in the affirmative.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

On motion of Mr. Hill and Mr. Sawyer,

The resolution read on the 16th inst. "relative to the ownership and value of certain unimproved lots of ground in front of the state buildings at Harrisburg," was again read, considered and adopted.

Ordered, That the clerk present said resolution to the House of Representatives for their concurrence.

On motion of Mr. Dickerson and Mr. Power,

The report of the committee on claims, in the case of captain John M'Lean, read on the 10th inst. was again read, and the resolution thereto attached being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration of the same, for the purpose of introducing a substitute in the following words, to wit:

"Resolved, That a committee be appointed to bring in a bill, to allow captain John M'Lean for money which he has advanced for clothing for his company during the late war, and which he has been unable to recover from his men."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

The yeas and nays were required by Mr. Dickerson and Mr. Davidson, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse, Alter, Barnard,		Messrs. Breck, Conyngham, Davidson,	



YEAS.	YEAS.
Messrs. Eichelberger, Eyster, Feger, Grosh, Hill, Hubley, Hurst,	Messrs. Markley, M' Mullin, Power, Raguet, Wallace, Willet. Marks, Speaker, 20
NAYS.	NAYS.
Messrs. Cochran, Coleman, Dickerson, Fry, M' Meens,	Messrs. Piper, Sawyer, Smith, Winter, 9

So it was determined in the affirmative; and

On the question,

Will the Senate agree to said resolution?

It was determined in the affirmative; and

Ordered, that Mr. Davidson, Mr. Power and Mr. Willett be a committee for the purpose aforesaid.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"An act to continue in force "An act for the appraisement of estates taken in execution."

And after some time,

The committee rose, reported progress and obtained leave to sit again this afternoon.

Mr. Davidson, from the committee appointed for the purpose this morning, on leave given, reported at this time a bill entitled

"An act for the relief of John M'Clean, a captain in the late war;" which was read the first time.

Adjourned until half-past three o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"An act to continue in force "An act for the appraisement of estates taken in execution."

And after some time,

The committee rose, and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill entitled

"An act to authorise the Governor to appoint commissioners to view and lay out a state road from Isaac Bowers, on Muddy Run, in Washington township, York county, to intersect a bridge lately erected across Big Conewago, at the west end of the town of Berlin, in Adams county."

And after some time,

The committee rose and reported said bill with one amendment.

On motion,

Said bill was read the second time.

The sections were severally considered and agreed to.

The title was agreed to after being amended, by inserting before the words Isaac Bowers," the words "the house of."

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill entitled

"A supplement to the act entitled "An act for taking land in execution for the payment of debts."

And after some time,

The committee rose and reported said bill with one amendment.

On motion of Mr. Davidson and Mr. Coleman,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act concerning the Pittsburg and Steubenville, and Washington and Pittsburg turnpike road companies."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Wednesday next.

Adjourned until 9 o'clock to-morrow morning.



## THURSDAY, March 22, 1821.

The bill entitled  
"An act concerning Partnerships;" was read the third time;  
and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Markley and Mr. Fry, and are as follow, to wit:

### YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Cadwallader,  
Eichelberger,  
Hill,  
Hurst,  
Leib,  
Markley,

### YEAS.

Messrs. M'Meens,  
M'Mullin,  
Piper,  
Raguet,  
Sawyer,  
Smith,  
Wallace,  
Marks, speaker,

word "that," in line three, and by inserting in lieu thereof the following words, to wit:

"The inquest or jury, and also the appraisers of personal property taken in execution, by virtue of any fieri facias, issued out of any of the courts of this commonwealth, required to be summoned by the sheriff or coroner, in conformity to the provisions of the act to which this is a supplement, shall, from and after the twenty-eighth day of March, one thousand eight hundred and twenty-one, be chosen and selected in the same manner, and at the same place, as arbitrators are chosen under the act entitled "An act regulating arbitrations," passed the twentieth day of March, eighteen hundred and ten. And it shall be the duty of the sheriff or coroner, to give notice to the defendant or defendants, in all cases, at least ten days previous to the time and place where the said inquest or jury, and appraisers of personal property aforesaid, are to be chosen, by serving the notice personally, on the defendant or defendants, or leaving a copy of said notice at his or her usual place of residence; and in case the said defendant or defendants do not reside in the county, but hold real property in the said county, in the occupation of tenants, such notice shall be served on the tenant or tenants, in the same manner as if the defendant or defendants reside in the county; and in case such real property is unoccupied, and the defendant or defendants do not reside in the county, then notice shall be given fifteen days previous, in one newspaper printed in the city or county in which the property is situate, and if no newspaper is printed in the county, the notice shall be published in any one of the newspapers printed in the next adjoining counties. And where personal property is taken in execution, if the defendant or defendants do not reside in the county, the notice shall be served on the person or persons in whose possession such personal property may be, or at their usual places of residence, proof of which shall be made on oath or affirmation, by the sheriff, coroner or persons serving said notice, at the time appointed to select the said jury appraisers, if the defendant or defendants do not attend. And notice shall be given in the same manner as aforesaid, to the defendant or defendants, in case the said defendant or defendants do not attend at the time the inquest, or jury and appraisers are to be chosen, of the time and place of the meeting of the said inquest and appraisers: Provided, That the fees allowed to the prothonotary for each juror and appraiser appointed as aforesaid, shall be three cents."

On the question,

Will the Senate agree to strike out and insert as aforesaid?

A division of the question was called for by Mr. Dickerson, to end with striking out; and

"On the question,  
Will the Senate agree so to strike out?"

The yeas and nays were required by Mr. Dickerson and Mr. Barnard, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Fry, Grosh,	Messrs. Markley, M'Meens, Sawyer, Smith, Winter, 10
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Dickerson, Eichelberger, Eyster, Hubley,	Messrs. Hurst, Leib, M'Mullin, Piper, Power, Raguet, Wallace, Willett, Marks, Speaker, 10

So it was determined in the negative.

A motion was then made by Mr. M'Meens and Mr. Smith, To amend said section, by striking from lines twenty-six and twenty-seven the words "and every six months thereafter," and by inserting after the word due, in line twenty-eight, the words "for one year."

On the question,  
Will the Senate agree to amend as aforesaid?

The yeas and nays were required by Mr. M'Meens and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Eyster, Fry, Grosh, Hurst, Markley,	Messrs. M'Meens, Piper, Sawyer, Smith, Willett, Winter, Marks, speaker, 15

## NAYS.

Messrs. Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Dickerson,  
Eichelberger,

## NAYS.

Messrs. Hubley,  
Leib,  
M'Mullin,  
Power,  
Raguet,  
Wallace,

18

So it was determined in the affirmative.

A motion was then made by Mr. Dickerson and Mr. Power,  
To postpone the further consideration of said section and bill  
for the present, which was not agreed to; and

On the question,  
Will the Senate agree to said section?

The yeas and nays were required by Mr. Barnard and Mr.  
Power, and are as follow, to wit:

## YEAS.

Messrs. Alter,  
Conyngham,  
Eyster,  
Fry,  
Gresh,  
Hurst,  
Markley,

## YEAS.

Messrs. M'Meens,  
Piper,  
Sawyer,  
Smith,  
Willett,  
Winter,

13

## NAYS.

Messrs. Allshouse,  
Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Dickerson,  
Eichelberger,

## NAYS.

Messrs. Hubley,  
Leib,  
M'Mullin,  
Power,  
Raguet,  
Wallace,  
Marks, speaker,

15

So it was determined in the negative, and the bill lost.

The Secretary of the Commonwealth being introduced, pre-  
sented two messages from the Governor, which were read as fol-  
lows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts, and desired the Secretary of the Commonwealth to return them to the Houses in which they respectively originated.

"An act to authorise the Roman Catholic Society, worshipping at the Church of St. Mary's, in Philadelphia, to amend their charter of incorporation."

"An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia."

"A further supplement to an act entitled 'An act to provide for the education of children at the public expense, within the city and county of Philadelphia.'"

JOSEPH HESTER.

March 20, 1821.

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I have thought it proper to submit to the consideration of the legislature, whether it would not be advisable to pass a general law on the subject of bonds with surety, for the faithful discharge of their official duties, by all those who hold appointments under the government, with the exception of those who hold judicial appointments. Some officers, according to long established usage, are required to give bond with approved security, without any express provision of law authorising it, and many are permitted to hold their appointments without giving bonds, because they are not required by law, nor sanctioned by precedent. Some of this latter class appear to be of that description, in which bonds with ample security would be peculiarly proper and necessary. It has appeared to me that a general law on the subject, designating particularly, all the officers who should give official bonds, the mode and manner of taking them and graduating the amount according to the importance of the office, would have a beneficial effect, both as regards the convenience of the government, and the faithful execution of the laws. I would also submit, whether in such an act it would not be proper to have provision made for the indemnification of such individuals as might suffer through the palpable neglect or malfeasance of officers.

To place the subject more distinctly within the view of the

## YEAS.

Messrs. M'Mullin,  
Piper,  
Raguet,  
Sawyer,

## NAYS.

Messrs. Breck,  
Coleman,  
Dickerson,  
Feger,  
Fry,

## YEAS.

Messrs. Smith,  
Wallace,  
Marks, speaker,

21

## NAYS.

Messrs. Grosh,  
Power,  
Willett,  
Winter,

9

So it was determined in the affirmative.

The title being agreed to.

Ordered, That said bill be transcribed for a third reading.

On motion of Mr. Hill and Mr. Sawyer,

The resolution read on the 16th inst. "relative to the ownership and value of certain unimproved lots of ground in front of the state buildings at Harrisburg," was again read, considered and adopted.

Ordered, That the clerk present said resolution to the House of Representatives for their concurrence.

On motion of Mr. Dickerson and Mr. Power,

The report of the committee on claims, in the case of captain John M'Lean, read on the 10th inst. was again read, and the resolution thereto attached being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration of the same, for the purpose of introducing a substitute in the following words, to wit:

"Resolved, That a committee be appointed to bring in a bill, to allow captain John M'Lean for money which he has advanced for clothing for his company during the late war, and which he has been unable to recover from his men."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

The yeas and nays were required by Mr. Dickerson and Mr. Davidson, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,

## YEAS.

Messrs. Breck,  
Conyngham,  
Davidson,



YEAS.	YEAS.
Messrs. Eichelberger, Eyster, Feger, Grosh, Hill, Hubley, Hurst,	Messrs. Markley, M'Vullin, Power, Raguet, Wallace, Willetts. Marks, Speaker, 20
NAYS.	NAYS.
Messrs. Cochran, Coleman, Dickerson, Fry, M'Veens,	Messrs. Piper, Sawyer, Smith, Winter,

9

So it was determined in the affirmative; and

On the question,

Will the Senate agree to said resolution?

It was determined in the affirmative; and

Ordered, that Mr. Davidson, Mr. Power and Mr. Willett be a committee for the purpose aforesaid.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"An act to continue in force. "An act for the appraisement of estates taken in execution."

And after some time,

The committee rose, reported progress and obtained leave to sit again this afternoon.

Mr. Davidson, from the committee appointed for the purpose this morning, on leave given, reported at this time a bill entitled

"An act for the relief of John M'Clean, a captain in the late war;" which was read the first time.

Adjourned until half-past three o'clock this afternoon.

**SAME DAY—IN THE AFTERNOON.**

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Conyngham in the chair, on the bill from the House of Representatives, entitled

"An act to continue in force "An act for the appraisement of estates taken in execution."

And after some time,

The committee rose, and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill entitled

"An act to authorise the Governor to appoint commissioners to view and lay out a state road from Isaac Bowers, on Muddy Run, in Washington township, York county, to intersect a bridge lately erected across Big Conewago, at the west end of the town of Berlin, in Adams county."

And after some time,

The committee rose and reported said bill with one amendment.

On motion,

Said bill was read the second time.

The sections were severally considered and agreed to.

The title was agreed to after being amended, by inserting before the words "Isaac Bowers," the words "the house of."

Ordered, That said bill be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill entitled

"A supplement to the act entitled "An act for taking land in execution for the payment of debts."

And after some time,

The committee rose and reported said bill with one amendment.

On motion of Mr. Davidson and Mr. Coleman,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill entitled

"An act concerning the Pittsburg and Steubenville, and Washington and Pittsburg turnpike road companies."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Wednesday next.

Adjourned until 9 o'clock to-morrow morning.



## THURSDAY, March 22, 1821.

The bill entitled  
"An act concerning Partnerships;" was read the third time;  
and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Markley and Mr. Fry, and are as follow, to wit:

### YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Cadwallader,  
Eichelberger,  
Hill,  
Hurst,  
Leib,  
Markley,

### YEAS.

Messrs. M'Meens,  
M'Mullin,  
Piper,  
Raguet,  
Sawyer,  
Smith,  
Wallace,  
Marks, speaker,

## NAYS.

Messrs. Breck,  
Cochran,  
Coleman,  
Fry,

## NAYS.

Messrs. Grosh,  
Power,  
Willett,  
Winter,

8

So it was determined in the affirmative.

The bill entitled

"An act to authorise the Governor to appoint commissioners to view and lay out a state road from Isaac Bowers, on Muddy Run, in Washington township, York county, to intersect a bridge lately erected across Big Conewago, at the west end of the town of Berlin, in Adams county;" was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present said bills to the House of Representatives for their concurrence.

The bill from the House of Representatives, entitled

"An act to continue in force "An act for the appraisement of estates taken in execution;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Grosh and Mr. Smith,

To amend the same, by striking therefrom the following words, to wit:

"And provided further, That in every case where real or personal estate has been, or shall hereafter be taken in execution and appraised, before or after the passing of this act, the defendant or defendants shall not have the benefits of the same, unless he, she or they shall first pay off the interest due, and every six months thereafter, pay to the plaintiff or plaintiffs, his, her or their agent or attorney, the amount of interest due on such judgment or judgments."

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. M'Meens and Mr. Smith, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Conyngham,  
Eyster,  
Fry,  
Grosh,  
Hurst,

## YEAS.

Messrs. Markley,  
M'Meens,  
Piper,  
Sawyer,  
Smith,  
Winter,

12

NAYS.

Messrs. Alter,  
Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Dickerson,  
Eichelberger,

NAYS.

Messrs. Hubley,  
Leib,  
M'Mullin,  
Power,  
Raguet,  
Wallace,  
Willett.  
Marks, Speaker, 16

So it was determined in the negative.

A motion was then made by Mr. M'Meens and Mr. Alter,  
To amend said section, by striking therefrom the words "first  
pay off the interest due," and by inserting in lieu thereof the  
words "on or before the first day of August next."

On the question,  
Will the Senate agree so to amend?

The yeas and nays were required by Mr. Dickerson and Mr.  
M'Meens, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Conyngham,  
Eyster,  
Fry,  
Grosh,  
Hurst,  
Markley,

YEAS.

Messrs. M'Meens,  
Piper,  
Sawyer,  
Smith,  
Willett,  
Winter,  
Marks, speaker, 15

NAYS.

Messrs. Barnard,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,  
Dickerson,  
Eichelberger,

NAYS.

Messrs. Hubley,  
Leib,  
M'Mullin,  
Power,  
Raguet,  
Wallace, 13

So it was determined in the affirmative.

A motion was then made by Mr. Grosh and Mr. Markley,  
To amend said section, by striking out all that follows the

"An act for the regulation of the Militia of this commonwealth;" the same having been under consideration when the Senate adjourned this morning.

Section nine recurring, and being under consideration:

A motion was made by Mr. Hubley and Mr. Raguet,

To amend the same, by inserting after the word "county," in line twenty, the following words, to wit:

"And every person conscientiously scrupulous of bearing arms shall be exempted from training in the militia on the days appointed by law for that purpose, who shall, on or before the first Monday of May, in every year, pay to the treasurer of the proper county the sum of two dollars; who is hereby required to give duplicate receipts therefor, and the receipt of such treasurer for any such payment shall be a sufficient voucher in the hands of the proper collector of the militia fines, in his settlement with the Brigade Inspector. And every such person is required to deliver said receipt to such collector; otherwise he shall not be exempted from the payment of his fine or fines."

On the question,

Will the Senate agree so to amend?

A motion was made by Mr. Barnard and Mr. M'Meens,

To amend said amendment by adding to the end thereof the following words, to wit:

"And the said county treasurer shall pay any sum or sums so received to the proper Brigade Inspectors, and which sums so paid to the said Brigade Inspectors shall be settled and accounted for by them in the same manner as is directed in other cases by this act."

On the question,

Will the Senate agree so to amend said amendment?

The yeas and nays were required by Mr. Grosh and Mr. Barnard, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Barnard,  
Conyngham,  
Dickerson,  
Eyster,  
Fry,  
Hill,  
Hurst,

YEAS.

Messrs. Markley,  
M'Meens,  
M'Mullin,  
Piper,  
Power,  
Sawyer,  
Wallace,  
Winter,  
Marks, Speaker, 18

NAYS.

Messrs. Breck,  
Cochran,  
Coleman,  
Grosh,  
Hubley,

NAYS.

Messrs. Leib,  
Raguet,  
Smith,  
Willett.

9

So it was determined in the affirmative; and

On the question,  
Will the Senate agree to said amendment as amended?  
It was determined in the negative; and  
The section was then agreed to.

Sections 10 to 41, inclusive, were severally considered and agreed to.

Section 42 being under consideration:

A motion was made by Mr. Barnard and Raguet,  
To postpone the further consideration of the same, together  
with the bill, for the present, which was agreed to.

On motion of Mr. Raguet and Mr. M'Mullin,  
The amendments by the House of Representatives to the bill  
entitled

"An act to regulate Inspections," read this morning, were  
again read, considered and concurred in.

Ordered, That the clerk inform the House of Representa-  
tives accordingly.

A motion was made by Mr. Hubley and Mr. Eichelberger,  
they having voted in the majority, to re-consider the vote given  
this morning disagreeing to the first section of the bill from the  
House of Representatives, entitled

"An act to continue in force "An act for the appraisement of  
estates taken in execution."

On the question,  
Will the Senate agree so to re-consider?

The yeas and nays were required by Mr. Coleman and Mr.  
Power, and are as follow, to wit:

YEAS.

Messrs. Alter,  
Barnard,  
Breck,  
Conyngham,  
Eichelberger,

YEAS.

Messrs. Eyster,  
Fry,  
Grosh,  
Hill,  
Hubley,

YEAS.	YEAS.
Messrs. Hurst, Markley, M'Meens, Piper,	Messrs. Sawyer, Smith, Winter, Marks, speaker, 18
NAYS.	NAYS.
Messrs. Cadwallader, Cochran, Coleman, M'Mullin,	Messrs. Power, Raguet, Wallace, 7

So it was determined in the affirmative.

Whereupon,  
On motion,

The Senate adjourned until 9 o'clock to-morrow morning.

## FRIDAY, March 23, 1821.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor, for his approbation, the bills entitled as follow, to wit:

“An act for the improvement of the state.”

“A supplement to the act entitled “An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth.”

“An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough.”



"An act to confirm the title of Daniel Walp to certain real estate therein mentioned."

Ordered, To lie on the table.

On motion of Mr. Markley and Mr. Raguet,

The amendments by the House of Representatives to the bill entitled

"A supplement to the act entitled "An act to alter the Judiciary System of this commonwealth," passed February twenty-fourth, eighteen hundred and six; read yesterday, were again read, considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill entitled

"An act for the regulation of the militia of this commonwealth;" postponed for the present yesterday.

Section 42 recurring, was considered and agreed to.

The remaining sections and title were severally considered and agreed to; and

Ordered, That said bill be transcribed for a third reading.

On motion, and by special order,

Said bill was read the third time; and

Resolved, That it pass.

Ordered, That the clerk present the same to the House of Representatives for their concurrence.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

"An act to continue in force "An act for the appraisement of estates taken in execution;" the same having been under consideration when the Senate adjourned yesterday.

Section one recurring, and being under consideration:

A motion was made by Mr. Markley and Mr. M'Meens,

They having voted in the majority, to re-consider the vote given yesterday, to amend said section as follows, to wit:

Strike out the words "and every six months thereafter," from lines twenty-six and twenty-seven, and insert after the word "due," in line twenty-eight, the words "for one year."

On the question,

Will the Senate agree so to re-consider?

It was determined in the affirmative.

The question then recurring,  
Will the Senate agree to said amendments?

The yeas and nays were required by Mr. Grosh and Mr. Markley, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Grosh, Hurst,	Messrs. M'Meens, Smith, Willett.
NAYS.	NAYS.
Messrs. Alter, Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Dickerson, Eichelberger, Eyster, Feger, Fry,	Messrs. Hill, Hubley, Leib, Markley, M'Mullin, Piper, Power, Raguet, Sawyer, Wallace, Winter, Marks, Speaker,

25

So it was determined in the negative.

A motion was then made by Mr. Allshouse and Mr. Fry,  
To postpone the further consideration of said section and  
bill, for the present, and to commit the same to a special com-  
mittee; which was not agreed to; and

On the question,  
Will the Senate agree to said section?

The yeas and nays were required by Mr. Dickerson and Mr. Piper, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Conyngham, Davidson, Eichelberger,	Messrs. Eyster, Feger, Fry, Grosh, Hill,

YEAS.	YEAS.
Messrs. Hurst, Markley, M'Meens, Piper, Sawyer,	Messrs. Smith, Willett, Winter, Marks, speaker,
	8
	19
NAYS.	NAYS.
Messrs. Allshouse, Breck, Cadwallader, Coleman, Dickerson, Hubley,	Messrs. Leib, M'Mullin, Power, Raguet, Wallace,
	11

So it was determined in the affirmative.

Section two was then considered and agreed to.

The title being agreed to.

Ordered, that said bill be prepared for a third reading.

On motion, and by special order,  
Said bill was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Cadwallader and Mr. Wallace, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Barnard, Conyngham, Davidson, Eichelberger, Eyster, Feger, Fry, Grosh, Hill,	Messrs. Hurst, Markley, M'Meens, Piper, Sawyer, Smith, Willett, Winter, Marks, speaker,
	19
NAYS.	NAYS.
Messrs. Allshouse, Breck,	Messrs. Cadwallader, Cochran,

NAYS.

NAYS.

Messrs. Coleman,  
Dickerson,  
Hubley,  
Leib,

Messrs. M'Mullin,  
Power,  
Baguet,  
Wallace,

12

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, to wit:

"An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg Transporting Company."

"An act to prevent fishing with nets, &c. in East-Conecochegue Creek, Franklin county."

"An act annexing to Lebanon county, that part of East-Hanover and Bethel townships which lies north of the Blue or Kitiating Mountain, in Dauphin county "

"An act for the relief of John Bell."

"An act to authorise the president and managers of the Co-shecton Bridge Company, to erect a toll-house and gate, at or near the west end of said bridge, in the township of Damascus, in Wayne county."

"An act authorising the court of Quarter Sessions, of Lehigh county, to direct a review of a part of the state road leading from the borough of Northampton to Jonestown."

He returned the bill entitled

"An act authorising the President Judge of the ninth judicial district, to try certain causes in the counties of Huntingdon, Mifflin and Centre."

And informed, that the House of Representatives have passed said bill with amendments, in which the concurrence of the Senate is requested.

The bills presented for concurrence were severally read the first time.

The above amendments were read and laid on the table.

The bill entitled

"An act concerning the Pittsburg and Steubenville, and Washington and Pittsburg turnpike road companies;" was read the second time, as reported by a committee of the whole on the 21st instant.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. Smith,

That the Senate resolve itself into a committee of the whole on said bill, for the purpose of amending the first section; which was agreed to.

Whereupon,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on said bill.

And after some time,

The committee rose, and reported the first section without amendment.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative.

The second and third sections were severally considered and agreed to.

The title being agreed to.

On the question,

Shall this bill be transcribed for a third reading?

The yeas and nays were required by Mr. Dickerson and Mr. Piper, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Eichelberger, Eyster, Feger, Fry, Grosh, Hurst, Leib,	Messrs. Markley, M'Meens, Power, Raguet, Sawyer, Smith, Willett, Winter, Marks, Speaker, 19
NAYS.	NAYS.
Messrs. Breck, Cochran, Davidson, Dickerson,	Messrs. Hill, Hubley, Piper, Wallace, 8

So it was determined in the affirmative.

The bill entitled

"A supplement to the act entitled "An act for taking land in execution for the payment of debts;" was read the second time as reported by a committee of the whole on the 21st instant, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Mr. Power, on leave given, presented at this time, a petition from sundry inhabitants of Armstrong county, praying that the "Act for the appraisement of estates taken in execution," may not be revived; and

Said petition was read and laid on the table.

On motion of Mr. Hill and Mr. Fry,

The resolution read on the 7th instant, requiring certain information from the auditor-general and secretary of the land office, was again read, considered and adopted.

Adjourned until half-past three o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

Mr. Markley, on leave given, presented at this time, two petitions of similar tenor from sundry inhabitants of Montgomery county, praying for the establishment of a Loan-Office; and

The same were read and laid on the table.

Mr. Alter, on leave given, presented at this time, a petition from sundry inhabitants of Cumberland county, praying for the establishment of a Loan-Office; and

The same was read and laid on the table.

On motion of Mr. Markley and Mr. Davidson,

The amendments by the House of Representatives, to the bill entitled

"An act authorising the president judge of the ninth judicial district, to try certain causes in the counties of Huntingdon, Mifflin and Centre;" read this morning, were again read, considered and concurred in.

Ordered, That the clerk inform the House of Representatives accordingly.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill entitled

"An act establishing a Loan-Office for the relief of the citizens of this commonwealth."

And after some time,

The committee rose and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Smith and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cochran, Coleman, Conyngham, Davidson, Dickerson, Feger, Hill,	Messrs. Hubley, Leib, M'Mullin, Power, Raguet, Wallace, Marks, speaker, 15
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Eichelberger, Eyster, Fry, Grosh, Hurst,	Messrs. Markley, M'Meens, Piper, Sawyer, Smith, Willetts, Winter, 15

So it was not agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill entitled

"An relative to the patenting of lands."

And after some time,

The committee rose, and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Hubley and Mr. Eichelberger, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs.</b> Allshouse, Breck, Conyngham, Davidson, Dickerson, Hill, Hurst, Markley, M'Meens,	<b>Messrs.</b> Piper, Power, Raguet, Sawyer, Smith, Wallace, Willett, Marks, speaker,
	17
NAYS.	NAYS.
<b>Messrs.</b> Alter, Barnard, Cadwallader, Cochran, Eichelberger, Eyster, Feger,	<b>Messrs.</b> Fry, Grosh, Hubley, Leib, M'Mullin, Winter,
	13

So it was determined in the affirmative, and the bill lost.

Agreeably to order,

The Senate proceeded to the consideration of the bill entitled

"An act for the relief of the Northumberland and Norristown Academies."

Whereupon,

A motion was made by Mr. Markley and Mr. Conyngham,  
To postpone the further consideration of said bill, for the present, and to recommend the same to the early attention of the next legislature, which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill entitled

"An act authorising a state road from West-Chester, to the Maryland line, in a direction to Conewingo bridge."

And after some time,

The committee rose and reported said bill with one amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill entitled

"A supplement to the act regulating Tin Pedlars."



And after some time,  
The committee rose and reported said bill with one amendment.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr. Grosh in the chair, on the bill entitled  
"A supplement to an act entitled "An act to declare and regulate escheats."

And after some time,  
The committee rose, and reported said bill with amendments.

Agreeably to order,  
The Senate resolved itself into a committee of the whole, Mr. Hubley in the chair, on the bill entitled  
"An act appointing commissioners to construct a road in Clearfield county, from the seat of justice of said county, to the Moshannon Creek."

And after some time,  
The committee rose and reported said bill with amendments.

Agreeably to order,  
The Senate proceeded to the consideration of the bill entitled  
"An act to authorise the sale of a certain lot of ground in the city of Philadelphia, belonging to the society of Seventh-Day Baptists."

Whereupon,  
A motion was made by Mr. Grosh and Mr. Davidson,  
To postpone the further consideration of said bill, for the present, and to recommend the same to the early attention of the next legislature, which was agreed to.

Agreeably to order,  
The Senate proceeded to the consideration of the bill entitled  
"An act to enable Hezekiah Niles, of the city of Baltimore, to dispose of certain books of his own compilation and manufacture, by way of Lottery."

Whereupon,  
A motion was made by Mr. Breck and Mr. Grosh,  
To postpone the further consideration of said bill, for the present, and recommend the same to the early attention of the next legislature.

Agreeably to order,  
The rule for going into a committee of the whole being in this case dispensed with, the bill entitled

"A further supplement to the act entitled "An act for the consolidation and amendment of the laws, as far as they respect the poor of the city of Philadelphia, the district of Southwark and the township of the Northern Liberties," was read the second time, considered by section and agreed to; and  
Ordered, That it be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill entitled

"An act for the removal of certain actions of ejectment for lands, in Schuylkill county, which were instituted in Berks county, before the division thereof."

And after some time,

The committee rose and reported said bill without amendment.

On motion,

Said bill was read the second time, considered by section, and agreed to; and

Ordered, That it be transcribed for a third reading.

Adjourned until 9 o'clock to-morrow morning.



## SATURDAY, March 24, 1821.

Mr. Hubley obtained leave of absence for the remainder of the session.

Mr. Sawyer presented two petitions of similar tenor from sundry inhabitants of Dauphin county, praying for the establishment of a Loan-Office; and

The same were read and laid on the table.

Mr. Barnard presented a remonstrance from sundry inhabitants of Charlestown and Pikeland townships, in the county of Chester, against the erection of said townships into a separate election district; and

The same was read and laid on the table.

Mr. Conyngham presented a petition from sundry inhabitants of Clifford township, in the county of Susquehanna, praying that the place of holding their elections may be changed to the house now occupied by Warren Dimmick; and

The same was read and laid on the table.

Mr. M'Meens, from the committee to whom was referred, on the 21st instant,

"An address for the removal from office of Salmon Keeny, a justice of the peace of Bradford county;" reported said address as committed to them.

The bill entitled

"A further supplement to the act entitled "An act for the consolidation and amendment of the laws, as far as they respect the poor, of the city of Philadelphia, the district of Southwark and the township of the Northern Liberties;" was read the third time; and

Resolved, That it pass.

The bill entitled

"An act for the removal of certain actions of ejectment for lands, in Schuylkill county, which were instituted in Berks county before the division thereof;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Smith and Mr. Willett, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Dickerson, Eyster,	Messrs. Feger, Grosh, Hill, Hubley, Hurst, Leib, Markley, M'Mullin, Sawyer, Wallace,
NAYS.	NAYS.
Messrs. Alter, Eichelberger, Fry, M'Meens, Piper,	Messrs. Raguet, Smith, Willett, Winter, Marks, Speaker,

20

10

So it was determined in the affirmative.

The bill entitled  
 "A supplement to the act entitled "An act for taking land  
 in execution for the payment of debts;" was read the third time;  
 and

Resolved, That it pass.

The bill entitled  
 "An act concerning the Pittsburg and Steubenville, and the  
 Washington and Pittsburg turnpike road companies;" was read  
 the third time; and

On the question,  
 Shall this bill pass?

The yeas and nays were required by Mr. Dickerson and Mr.  
 Wallace, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Cadwallader, Conyngham, Eichelberger, Eyster, Feger, Fry, Grosh, Hurst,	Messrs. Leib, Markley, M'Meens, Power, Raguet, Sawyer, Smith, Willett, Winter, Marks, speaker,
	21
NAYS.	NAYS.
Messrs. Breck, Cochran, Coleman, Davidson, Dickerson,	Messrs. Hill, Hubley, M'Mullin, Piper, Wallace,
	10

So it was determined in the affirmative.

Ordered, That the clerk present said bills to the House of Re-  
 presentatives for their concurrence.

The bill entitled  
 "An act establishing a Loan-Office, for the relief of the citi-  
 zens of this commonwealth;" was read the second time.

Section one being under consideration:

A motion was made by Mr. Breck and Mr. Leib,  
To postpone the further consideration of said section and  
bill, indefinitely.

On the question,  
Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Davidson and Mr.  
Breck, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Davidson, Dickerson, Eichelberger, Feger,	Messrs. Hill, Hubley, Leib, Markley, M'Mullin, Raguet, Wallace, Marks, Speaker, 16
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Eyster, Fry, Grosh, Hurst,	Messrs. M'Meens, Piper, Power, Sawyer, Smith, Willett. Winter, 15

So it was determined in the affirmative.

The bill entitled  
"An act authorising a state road from West-Chester, to the  
Maryland line, in a direction to Conewingo bridge;" was read  
the second time as reported by a committee of the whole yes-  
terday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled  
"A supplement to the act regulating Tin-Pedlars;" was read  
the second time as reported by a committee of the whole yes-  
terday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Hill and Mr. Conyngham,

The message from the Governor relative to requiring bonds from certain officers of the commonwealth, read on the 22d instant, was again read, and referred to the committee appointed on the 28th of December, on the subject of appointment to office by the Governor.

The bill entitled

"A supplement to an act entitled "An act to declare and regulate escheats;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

The bill entitled

"An act appointing commissioners to construct a road in Clearfield county, from the seat of justice of said county, to the Moshannon-creek;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

On motion of Mr. Coleman and Mr. Grosh,

The Senate resolved itself into a committee of the whole, Mr. Leib in the chair, on the bill entitled

"An act to annul the marriage of Peter Dessinger, and Catharine his wife."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative, and the bill lost.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill entitled

"An act to authorise the commissioners of Chester county to purchase certain indexes;" was read the second time, considered by section and agreed to; and

Ordered, That it be transcribed for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Markley in the chair, on the bill entitled

"A further supplement to an act entitled "An act to raise and collect county rates and levies."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Monday next.

The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, to wit:

"An act to incorporate the old Columbia Water Company."

"An act authorising the laying out certain state roads therein mentioned."

"An act declaring part of Stoney-Creek, in the county of Somerset, a public highway."

"A supplement to the act entitled "An act to enable the Governor of this commonwealth to incorporate a company for making an artificial road from Erie to Waterford."

"An act for the relief of the minor children of John Moser, a soldier in the late war."

The bills presented for concurrence were severally read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Mullin, in the chair, on the bill entitled

"An act declaring what shall be deemed evidence of an acknowledgement of a deed by a feme covert."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Hill and Mr. Barnard,

To postpone the further consideration of said question, together with the bill, for the present, and to recommend the same to the early attention of the next legislature, which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill entitled

"An act for the relief of John M'Clean, a captain in the late war."

And after some time,

The committee rose and reported said bill with one amendment.

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That said bill be transcribed for a third reading.

Agreesably to order,

The Senate again resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"A supplement to an act passed the sixteenth day of March, one thousand eight hundred and nineteen, entitled "An act relative to the claim of the commonwealth against Peter Baynton, and against the estate of John Nicholson, deceased."

And after some time,

The committee rose, and reported said bill with one amendment.

Agreesably to order,

The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill from the House of Representatives, entitled

"A further supplement to the act entitled "An act to enable the Governor to appoint Notaries Public, and for other purposes."

And after some time,

The Committee rose, and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative and the bill lost.

On motion of Mr. Leib and Mr. Allshouse,

The Setate adjourned until 9 o'clock on Monday morning.

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MONDAY, March 26, 1821.

Mr. Winter presented a remonstrance from sundry persons residing in the vicinity of the town of Bethany, in the county of Wayne, against the passage of a law to incorporate said town into a borough; and



Said petition was read and laid on the table.

Mr. Winter also presented a petition from sundry inhabitants of Wayne county, praying for the establishment of a Loan-office; and

The same was read and laid on the table.

Mr. Grosh presented a petition from sundry inhabitants of Lancaster county, praying for the passage of a law to repeal the act entitled "An act to vacate part of a state road laid out in pursuance of an act entitled "An act authorising the Governor to appoint commissioners to lay out a state road from the borough of Marietta, in Lancaster county, to intersect the Middletown and Harrisburg turnpike road, at or near the house of John Neisly, in Dauphin county;" and

Said petition was read and laid on the table.

On motion of Mr. Grosh and Mr. Alter,

Said petition was again read; and

Ordered, That it be recommended to the early attention of the next legislature.

Mr. Raguet presented a remonstrance from the deputy measurers of grain, of the city and port of Philadelphia, against a reduction of their fees; and

The same was read and laid on the table.

Mr. Raguet also presented from the corporation of the city of Philadelphia, for the use of the state library, a copy of the ordinances of said corporation.

Mr. Davidson, from the committee on accounts, made report, which was read as follows, to wit:

That the sums annexed to the names of the members and officers of the Senate are due to them respectively as follows, viz.

	<i>Days.</i>	<i>Miles.</i>	
Henry Allshouse,	120	350	\$457 50
Jacob Alter,	120	50	412 50
Isaac D. Barnard,	120	150	427 50
Samuel Breck,	120	202	435 80
Cyrus Cadwallader,	120	272	445 80
Samuel Cochran,	120	120	423 00
Edward Coleman,	120	72	415 80
Redmond Conyngham,	120	200	485 00
William Davidson,	120	350	457 50
Joshua Dickerson,	120	448	472 20
Frederick Eichelberger,	120	24	408 60
Jacob Eyster,	120	70	415 50

	<i>Days.</i>	<i>Miles.</i>	
Conrad Feger,	120	112	421 80
Joseph Fry,	120	200	\$435 00
Jacob Grosh,	120	60	414 00
Rees Hill,	120	440	471 00
James B. Hubley,	120	100	420 00
Henry Hurst,	120	590	493 50
Michael Leib,	120	204	435 60
Philip S. Markley,	120	192	433 80
John M'Meens,	120	200	435 00
Robert M'Mullin,	120	206	435 90
William Piper,	120	196	434 40
Samuel Power,	120	456	473 40
Condy Raguet,	120	204	435 60
John Sawyer,	120	34	410 10
Robert Smith,	120	132	424 80
Michael Wallace,	120	208	436 20
Robert Willett,	120	94	419 10
Henry Winter,	120	228	439 20
William Marks, speaker,	120	416	587 40
Joseph A. M'Jimsey, clerk,	120 at \$4,	\$480	} 804 64
Salary,		324 64	
Samuel Conrad, assistant,	120 at \$4,	480	} 654 64
Salary,		174 64	
W. Shannon, sergeant-at-			
arms,	120 at \$2,	240	} 346 20
Salary,		106 20	
R. Dickey, door-keeper,	120 at \$2,	240	} 346 20
Salary,		106 20	
L. Lewis, assistant,	120 at \$1 50		180 00

Resolved, That the speaker draw his warrant on the State Treasurer in favor of the members and officers of the Senate for the amount due them respectively.

On motion,

Said report was again read, and the resolution thereto attached considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, to wit:

"An act for the relief of Joel Bailey, late deputy-sergeant-at-arms."

"An act authorising the Governor to procure on loan one million of dollars."

**"A supplement to the act entitled "An act regulating banks."**

**"An act laying a duty on the retailers of foreign merchandize."**

He informed, that the House of Representatives have concurred in the amendments by the Senate, to the bill entitled

**"An act to continue in force "An act for the appraisement of estates taken in execution."**

The bills presented for concurrence were severally read the first time.

Mr. Grosh, from the committee on banks, to whom was committed on the 15th of February last, the bill from the House of Representatives, entitled

**"An act to continue an act entitled "An act to incorporate the Farmers and Mechanics Bank;" reported said bill without amendment.**

The bill entitled

**"An act authorising a state road from West-Chester to the Maryland line, in a direction to Conewingo bridge;" was read the third time; and**

**Resolved, That it pass.**

The bill entitled

**"A supplement to the act regulating Tin-Pedlars;" was read the third time; and**

**Resolved, That it pass.**

The bill entitled

**"A supplement to an act entitled "An act to declare and regulate escheats;" was read the third time; and**

**Resolved, That it pass.**

The bill entitled

**"An act appointing commissioners to construct a road in Clearfield county, from the seat of Justice of said county, to the Moshannon creek;" was read the third time; and**

**Resolved, That it pass.**

The bill entitled

**"An act to authorise the commissioners of Chester county, to purchase certain indexes;" was read the third time; and**

**Resolved, That it pass.**

The bill entitled

**"An act for the relief of John M'CLean, a captain in the late war;" was read the third time; and**

**Resolved, That it pass.**

**Ordered, That the clerk present said bills to the House of Representatives for their concurrence.**

The bill from the House of Representatives, entitled  
 "A supplement to an act passed the sixteenth day of March,  
 one thousand eight hundred and nineteen, entitled "An act rel-  
 ative to the claim of the commonwealth against Peter Baynton,  
 and against the estate of John Nicholson, deceased;" was read  
 the second time as reported by a committee of the whole on  
 Saturday last.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. M'Mullin,  
 To postpone the further consideration of said section and  
 bill, for the present, which was agreed to.

On motion of Mr. Conyngham and Mr. Dickerson,

The resolution read on the 10th instant, relative to a call of  
 a convention, was again read, and the same being under consid-  
 eration:

A motion was made by Mr. Grosh and Mr. M'Mullin,

To postpone the further consideration of the same, for the  
 present, and to recommend it to the early attention of the next  
 legislature.

On the question,

Will the Senate agree so to postpone and recommend?

The yeas and nays were required by Mr. Conyngham and Mr.  
 Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck, Cadwallader, Cochran, Davidson, Eyster,	Messrs. Feger, Fry, Grosh, Leib, M'Mullin, Raguet, Smith, Winter, 16
NAYS.	NAYS.
Messrs. Coleman, Conyngham, Dickerson, Eichelberger, Hill, Hurst, Markley,	Messrs. M'Meens, Piper, Power, Sawyer, Wallace, Willeff, Marks, speaker, 14

So it was determined in the affirmative.

A motion was made by Mr. Eichelberger and Mr. Markley, They having voted in the majority, to re-consider the vote given on Saturday last, for the indefinite postponement of the bill entitled

"An act establishing a Loan-Office, for the relief of the citizens of this commonwealth."

On the question,  
Will the Senate agree so to re-consider?

The yeas and nays were required by Mr. Dickerson and Mr. Davidson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Eichelberger, Eyster, Fry, Grosh, Hurst,	Messrs. Markley, M'Meens, Piper, Sawyer, Smith, Willett, Winter, 14
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Dickerson,	Messrs. Feger, Hill, Leib, M'Mullin, Power, Raguet, Wallace, Marks, speaker, 16

So it was determined in the negative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to regulate the general elections within this commonwealth."

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

The bill from the House of Representatives, entitled  
 "A supplement to an act passed the sixteenth day of March,  
 one thousand eight hundred and nineteen, entitled "An act rel-  
 ative to the claim of the commonwealth against Peter Baynton,  
 and against the estate of John Nicholson, deceased;" was read  
 the second time as reported by a committee of the whole on  
 Saturday last.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. M'Mullin,  
 To postpone the further consideration of said section and  
 bill, for the present, which was agreed to.

On motion of Mr. Conyngham and Mr. Dickerson,

The resolution read on the 10th instant, relative to a call of  
 a convention, was again read, and the same being under consid-  
 eration:

A motion was made by Mr. Grosh and Mr. M'Mullin,  
 To postpone the further consideration of the same, for the  
 present, and to recommend it to the early attention of the next  
 legislature.

On the question,

Will the Senate agree so to postpone and recommend?

The yeas and nays were required by Mr. Conyngham and Mr.  
 Dickerson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Breck, Cadwallader, Cochran, Davidson, Eyster,	Messrs. Feger, Fry, Grosh, Leib, M'Mullin, Raguet, Smith, Winter, 16
NAYS.	NAYS.
Messrs. Coleman, Conyngham, Dickerson, Eichelberger, Hill, Hurst, Markley,	Messrs. M'Meens, Piper, Power, Sawyer, Wallace, Willeff, Marks, speaker, 14

So it was determined in the affirmative.

A motion was made by Mr. Eichelberger and Mr. Markley, They having voted in the majority, to re-consider the vote given on Saturday last, for the indefinite postponement of the bill entitled

"An act establishing a Loan-Office, for the relief of the citizens of this commonwealth."

On the question,

Will the Senate agree so to re-consider?

The yeas and nays were required by Mr. Dickerson and Mr. Davidson, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Eichelberger, Eyster, Fry, Grosh, Hurst,	Messrs. Markley, M'Meens, Piper, Sawyer, Smith, Willett, Winter,
	14
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Dickerson,	Messrs. Feger, Hill, Leib, M'Mullin, Power, Raguet, Wallace, Marks, speaker,
	16

So it was determined in the negative.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to regulate the general elections within this commonwealth."

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Sawyer in the chair, on the bill entitled

**"An act to discourage fraudulent insolvencies."**

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Smith in the chair, on the bill entitled

"A further supplement to the act entitled "An act to amend and consolidate with its supplements, the act entitled "An act for the recovery of debts and demands not exceeding \$100, before a justice of the peace, and for the election of constables and for other purposes; and also the act regulating the proceedings of justices of the peace and aldermen, in cases of trespass, trover and rent."

And after some time,

The committee rose, reported progress and asked leave to sit again.

On the question,

Shall the committee have leave to sit again?

A motion was made by Mr. Dickerson and Mr. Winter,

To discharge the committee of the whole from any further consideration of said bill, and that the same be recommended to the early attention of the next legislature.

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Wallace and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Cadwallader, Cochran, Davidson, Dickerson, Eyster, Feger, Fry, Grosh,	Messrs. Hill, Hurst, Markley, Piper, Power, Sawyer, Smith, Winter, Marks, speaker, 18
NAYS.	NAYS.
Messrs. Alter, Rarnard,	Messrs. M'Mullin, Baguet,



NAYS.

Messrs. Breck,  
Conyngham,  
Eichelberger,

NAYS.

Messrs. Wallace,  
Willett,

9

So it was determined in the affirmative.

Adjourned until half past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, on leave given, made report at this time, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor, for his approbation, the bills entitled as follow, to wit:

"An act to enable Abraham Rinehart and Isaac Rinehart, administrators of John Rinehart, deceased, to sell certain real estate of the intestate."

"An act to continue in force "An act for the appraisement of estates taken in execution."

"An act for the more convenient education of the poor, gratis, within the counties of Cumberland, Dauphin and Lancaster."

"An act to regulate Inspections."

"A supplement to the act entitled "An act to alter the Judiciary System of this commonwealth," passed February twenty-four, eighteen hundred and six.

"An act authorising the President Judges of the ninth and fourth judicial districts, to try certain causes in the counties therein mentioned."

Ordered, To lie on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Willett in the chair, on the bill entitled

"A further supplement to the act entitled "An act for raising county rates and levies."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,  
Will the Senate agree to said report?

The yeas and nays were required by Mr. Breck and Mr. Coleman, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Dickerson, Eichelberger, Eyster, Feger, Hill, Hurst,	Messrs. Markley, M'Meens, Piper, Power, Smith, Wallace, Willett, Marks, speaker, 16
NAYS.	NAYS.
Messrs. Barnard, Breck, Cadwallader, Cochran, Coleman, Conyngham,	Messrs. Fry, Grosh, Leib, M'Mullin, Raguet, Winter, 12

So it was determined in the affirmative, and the bill lost.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and desired the Secretary of the Commonwealth to return them to the House of Representatives in which they originated.

"A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth."

"An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough."

"An act to confirm the title of Daniel Walp to certain real estate therein mentioned."

"An act for the improvement of the state."

JOSEPH HIESTER.

March 26, 1821.

Ordered, To lie on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Winter in the chair, on the bill from the House of Representatives, entitled

"An act providing compensation to James Lockart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county."

And after some time,

The committee rose and reported said bill with amendments.

A motion was made by Mr. Raguet and Mr. Markley,

That the Senate proceed to the second reading and consideration of the bill entitled

"An act to discourage fraudulent Insolvencies;" as reported by a committee of the whole this morning.

On the question,

Will the Senate agree so to proceed?

A motion was made by Mr. Grosh and Mr. Winter,

To postpone the further consideration of said question, for the present, and that said bill be recommended to the early attention of the next legislature.

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Grosh and Mr. Winter, and are as follow, to wit:

YEAS.

Messrs. Barnard,  
Cochran,  
Fry,  
Grosh,  
Hurst,

YEAS.

Messrs. Leib,  
M'Meens,  
Smith,  
Winter,

9

NAYS.

Messrs. Allshouse,  
Alter,

NAYS.

Messrs. Hill,  
Markley,

## NAYS.

Messrs. Breck,  
Cadwallader,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,

## NAYS.

Messrs. M'Mullin,  
Power,  
Raguet,  
Wallace,  
Willett.  
Marks, Speaker,

17

So it was determined in the negative.

The question recurring,  
Will the Senate proceed to the second reading of said bill?

The yeas and nays were required by Mr. Coleman and Mr. Grosh, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Breck,  
Cadwallader,  
Coleman,  
Conyngham,  
Davidson,

## YEAS.

Messrs. Markley,  
M'Mullin,  
Raguet,  
Wallace,  
Willett,  
Marks, speaker,

18

## NAYS.

Messrs. Barnard,  
Cochran,  
Eichelberger,  
Eyster,  
Feger,  
Fry,  
Grosh,

## NAYS.

Messrs. Hill,  
Hurst,  
Leib,  
M'Meens,  
Power,  
Smith,  
Winter,

14

So it was determined in the negative.

Adjourned until 9 o'clock to-morrow morning.

**TUESDAY, March 27, 1821.**

The bill from the House of Representatives, entitled

"An act providing compensation to James Lockhart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Captain Robert Orr, of the county of Armstrong."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill from the House of Representatives, entitled

"An act to authorise the citizens of the provisional county of Jefferson, to elect county commissioners, and for other purposes."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Thursday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill from the House of Representatives, entitled

"An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg Transporting Company."

And after some time,

The committee rose, reported progress and obtained leave to sit again on Wednesday next.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Breck in the chair, on the bill from the House of Representatives, entitled

"An act to repeal part of the second section of an act entitled "A supplementary act to a law of this province entitled "An act that no public house or inn within this province be kept without license."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cochran in the chair, on the bill from the House of Representatives, entitled

"An act supplementary to an act appropriating the monies arising from fines and forfeitures, to county purposes."

And after some time,

The committee rose and reported said bill without amendment.

The clerk of the House of Representatives being introduced, presented for concurrence the bills entitled as follow, viz.

"A further supplement to an act entitled "An act to amend and consolidate with its supplements, the act entitled "An act for the recovery of debts and demands not exceeding one hundred dollars before a justice of the peace, and for the election of constables and for other purposes."

"An act for the relief of sundry old soldiers, and widows of soldiers of the revolutionary war."

"An act for the relief of Daniel Sharp."

"A supplement to the act entitled "An act to authorise the Governor of this commonwealth, to incorporate a company for making and erecting a bridge over the river Susquehanna, in the county of Lancaster, at or near the town of Columbia."

"A supplement to the act directing the mode of taking testimony in cases of complaint against justices of the peace."

"A supplement to the several acts of the general assembly respecting auctions and auctioneers."

"An act establishing and altering certain election districts."

Said bills were severally read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill from the House of Representatives entitled

**"An act to annul the marriage of George Taylor, and Sarah his wife."**

And after some time,

The committee rose, and reported said bill with one amendment.

On motion,

Said bill was read the second time, considered by section, and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole; Mr. Conyngham in the chair, on the bill from the House of Representatives entitled

**"An act to incorporate the old Columbia Water Company."**

And after some time,

The committee rose, and reported said bill with amendments.

Agreeably to order,

The Senate resumed the second reading and consideration of the bill from the House of Representatives, entitled

**"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Millerstown;" postponed for the present on the 15th of February last.**

Section one recurring, was considered and agreed to.

Section two was considered and agreed to.

The title being agreed to.

Ordered, that said bill be prepared for a third reading.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

**"An act to prevent fishing with nets, &c. in East-Conococheague Creek, Franklin county;"** was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The Secretary of the Commonwealth being introduced, presented two messages from the Governor, together with the documents therein referred to, which were read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts, and desired the Secretary of the Commonwealth, to return them to the Houses in which they originated.

"An act for the more convenient education of the poor, gratis, within the counties of Cumberland, Dauphin and Lancaster."

"An act to enable Abraham Rinehart and Isaac Rinehart, administrators of John Rinehart, deceased, to sell certain real estate of the intestate."

"An act to regulate Inspections."

"A supplement to the act entitled "An act to alter the Judiciary System of this commonwealth," passed February twenty-four, eighteen hundred and six."

"An act authorising the President Judges of the ninth and fourth judicial districts, to try certain causes in the counties therein mentioned."

"An act to continue in force "An act for the appraisement of estates taken in execution."

JOSEPH HIESTER.

March 27, 1821.

*To the Senate and House of Representatives of the commonwealth of Pennsylvania.*

Gentlemen,

I herewith lay before you copies of a letter from the Governor of the state of Illinois, covering sundry resolutions passed by the legislature of that state, relative to proposed amendments to the constitution of the United States; also copies of a summary of the York and Maryland line turnpike company, as attested by the secretary of the said company.

JOSEPH HIESTER.

March 26, 1821.

*Executive-Office, Vandalia, February 5th, 1821.*

SIR,

I have the honor herewith to transmit to your Excellency



certain resolutions of the general assembly of the state of Illinois.

I have the honor to be, Sir,  
Your most obedient servant,

J. BOND.

*His Excellency the Governor }  
of Pennsylvania. }*

1. Resolved, By the people of the state of Illinois, represented in the general assembly, That they do concur in the amendment to the constitution of the United States, proposed to the consideration of the several states by the state of Pennsylvania, which is as follows, to wit: "Congress shall make no law to erect or incorporate any bank or other monied institution, except within the district of Columbia; and every bank or monied institution which shall be established by the authority of congress, shall, together with its branches and offices of discount and deposit, be confined to the district of Columbia."

2. Resolved, That they do also concur in the amendment to the constitution of the United States, as proposed by the state of Vermont, which is as follows, to wit: "That for the purpose of choosing representatives in the congress of the United States, each state shall, by its Legislature, be divided into a number of districts, equal to the number of representatives, to which such state shall be entitled: the district shall be formed of contiguous territory, and contain as nearly as may be, an equal number of inhabitants, entitled by the constitution to be represented in each district, the qualified voters shall elect one representative, and no more. That for the purpose of appointing electors of President and Vice President of the United States in each district entitled to elect a representative in the congress of the United States, the persons qualified to vote for representatives shall appoint one elector, and no more: the additional two electors to which each state is entitled, shall be appointed in such manner as the legislature thereof may direct. The electors when convened, shall have power, in case any of them appointed as above prescribed, shall fail to attend for the purposes of their said appointments on the day prescribed, for giving their votes for President and Vice President of the United States, to appoint another or others to act in the place of him or them so failing to attend.

Neither the districts for choosing representatives, nor those for appointing electors, shall be altered in any state until a census and apportionment of representatives under it subsequent to the division of the state into districts shall be made. The division of the states into districts hereby provided for, shall

take place immediately after this amendment shall be adopted and ratified as a part of the constitution of the United States, and successively immediately afterwards, whenever a census and apportionment of representatives under it shall be made: the division of each state into districts for the purposes both of choosing representatives and appointing electors, shall be altered agreeably to the provisions of this amendment, and on no other occasion."

3. Resolved, That it is necessary and inexpedient so to amend the constitution of the United States, "That no law varying the compensation of the members of the congress of the United States, shall take effect until the time for which the members of the House of Representatives of that congress by which the law was passed, shall have expired," as recommended by the Legislature of the commonwealth of Kentucky.

4. Resolved, That our senators and representatives in the congress of the United States, be requested to use their exertions to procure the adoption of the two first proposed amendments, and that they use their influence to prevent the adoption of the latter.

5. Resolved, That his excellency the governor of this state be requested to transmit copies of the foregoing resolutions to each of our senators and our representative in the congress of the United States, and also to the executives of the several states, with a request that they lay the same before the legislatures thereof, soliciting their co-operation in effecting the objects contemplated by the said resolutions.

JOHN M'LEAN,

*Speaker of the House of Representatives.*

JAMES LEMAN, Jr.

*Speaker of the Senate, pro. tempore.*

#### Summary of the York and Maryland Line Turnpike.

York and Maryland Line Turnpike cost, 808 shares

at \$100 each,

\$80,800 00

#### Repairs and Expenses.

To April, 1815,

\$24,606 17

Paid in 1815 & 1816,

10,276 66

1817,

4,607 00

1818,

4,737 35

1819,

4,686 00

1820,

2,302 00

---

\$51,216 03

---

Received for Tolls.

To 1815,	\$26,258 89
In 1815 and 1816,	10,811 40
1817, (part of)	949 00
1817,	4,680 64
1818,	5,712 76
1819,	5,848 78
1820,	4,826 56
	<hr/>
	\$58,488 03
	<hr/>

Deduct the following:

Dividends in 1815,	\$2,424
1819,	2,424
1821,	2,424
	<hr/>
	7,272 00
	<hr/>
	\$51,216 03

Marh 8, 1821.

Extracted from the books of the company, and signed on behalf thereof.

JOS. TOWNSEND, *Secretary.*

*To the General Assembly of Pennsylvania.*

Ordered, To lie on the table.

On motion,

The Senate proceeded to the consideration of the bill from the House of Representatives, entitled

"An act for the relief of sundry old soldiers, and widows of soldiers of the revolutionary war."

Whereupon,

A motion was made by Mr. Raguet and Mr. Winter,

That said bill be committed to the committee on claims, which was agreed to.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill from the House of Representatives, entitled

"An act to incorporate the Loudoun Town Water Company, in the county of Franklin."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act for the relief of John Huey, of Berks county;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"A further supplement to an act entitled "An act to incorporate the town of Columbia, in the county of Lancaster;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Dickerson and Mr. Power,

The Senate again resolved itself into a committee of the whole, Mr. Cadwallader in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."

And after some time,

The committee rose and reported said bill with one amendment.

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill from the House of Representatives, entitled

**"An act for the relief of Bridget Bruton, and others."**

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

The clerk of the House of Representatives being introduced, presented for concurrence, the bills entitled as follow, viz.

**"An act to aid the Waterford Academy, in Erie county."**

**"A supplement to the act entitled "An act authorising the Governor to incorporate the Berwick Water Company."**

**"An act to authorise the Overseers of the Poor of the township of Hamilton, in the county of Northampton, to receive the annuity of Henry Woolery, an old soldier."**

**"A supplement to the act entitled "An act for the improvement of the state."**

**"A supplement to the act entitled "An act to compel assignees to settle their accounts, and for other purposes."**

**"An act establishing academies in the town of Kittaning, in Armstrong county, and in the town of Warren, in Warren county, and granting a sum of money thereto."**

Said bills were severally read the first time.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled

**"An act authorising a review of parts of a state road, in Fayette and Greene counties."**

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Eichelberger in the chair, on the bill from the House of Representatives, entitled

**"A further supplement to an act entitled "An act to provide for the erection of a state penitentiary on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes."**

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

**"An act annexing to Lebanon county, that part of East-**

**Hanover and Bethel townships which lies north of the Blue or Kittating Mountain, in Dauphin county;" was read the second time, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**Agreeably to order,**

**The Senate resolved itself into a committee of the whole, Mr. Eyster in the chair, on the bill from the House of Representatives, entitled**

**"A supplement to an act entitled "An act to incorporate an Academy or Public School in the borough of Erie, and for other purposes therein mentioned;" passed the twenty-fifth day of March, one thousand eight hundred and seventeen.**

**And after some time,**

**The committee rose and reported said bill with amendments.**

**On motion,**

**Said bill was read the second time.**

**The sections were severally considered and agreed to.**

**The title was agreed to, after being amended by striking therefrom the words "passed the twenty-fifth day of March, one thousand eight hundred and seventeen."**

**Ordered, That said bill be prepared for a third reading.**

**Agreeably to order,**

**The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled**

**"A supplement to an act entitled "An act to promote the comfort of the poor;" was read the second time, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**On motion of Mr. M'Meens and Mr. Breck,**

**The Senate proceeded to the consideration of the**

**"Address to the Governor for the removal from office of Salmon Keeny, a justice of the peace of Bradford county;" and the same having been considered:**

**On the question,**

**Will the Senate agree to said address?**

**The yeas and nays were taken, and are as follow, to wit:**

YEAS.	YEAS.
Messrs. Allshouse, Alter, Conyngham, Davidson, Fry, Hill, Hurst,	Messrs. Markley, M'Meens, Piper, Power, Sawyer, Wallace, Marks, Speaker, 14
NAYS.	NAYS.
Messrs. Cadwallader, Coleman, Eyster, Grosh, M'Mullin,	Messrs. Raguet, Smith, Willett, Winter, 9

So it was determined in the affirmative.

Ordered, That the clerk return said address to the House of Representatives, with information that the Senate have passed the same without amendment.

Adjourned until 9 o'clock to-morrow morning.



### WEDNESDAY, March 28, 1821.

The bills from the House of Representatives, entitled as follows, to wit.

"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Millerstown."

"An act for the relief John Huey of Berks county."

"An act annexing to Lebanon county, that part of East Hanover and Bethel townships, which lies north of the Blue or Kittating Mountain, in Dauphin county."

**"A supplement to an act entitled "An act to promote the comfort of the poor."**

**"A further supplement to an act entitled "An act to incorporate the town of Columbia, in the county of Lancaster."**

**"An act providing compensation to James Lockart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county."**

**"An act to annul the marriage of George Taylor, and Sarah his wife."**

**"An act to prevent fishing with nets, &c. in East-Conococheague Creek, Franklin county."**

**"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."**

**"A supplement to an act entitled "An act to incorporate an Academy or Public School in the borough of Erie, and for other purposes therein mentioned;" passed the twenty-fifth day of March, one thousand eight hundred and seventeen; were severally read the third time; and**

**Resolved, That said bills pass.**

**Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the five former without and the five latter with amendments, in which the concurrence of that House is requested.**

**The bill from the House of Representatives, entitled**

**"An act to repeal part of the second section of an act entitled "A supplementary act to a law of this province entitled "An act that no public house or inn within this province be kept without license;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**The bill from the House of Representatives, entitled**

**"An act for the relief of Captain Robert Orr, of the county of Armstrong;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and**

**Ordered, That it be prepared for a third reading.**

**On motion, and by special order,**

**Said bill was read the third time; and**

**Resolved, That it pass.**



Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The bill from the House of Representatives, entitled  
"An act supplementary to an act appropriating the monies raising from fines and forfeitures, to county purposes;" was read the second time, as reported by a committee of the whole yesterday.

Section one was considered and agreed to.

Section two being under consideration:

A motion was made by Mr. Smith and Mr. Fry,  
To strike therefrom the following words, to wit:

"Provided always, That nothing herein contained shall give authority to any court to remit or mitigate any forfeited recognizance, unless the said recognizance has been forfeited in the court to which an application or petition to remit or mitigate the same shall be made."

On the question,

Will the Senate agree so to amend?

It was determined in the negative, and the section was then agreed to.

The remaining sections and title were severally considered and agreed to; and

Ordered, That said bill be prepared for a third reading.

A motion was made by Mr. Leib and Mr. Davidson,

They having voted in the majority, to re-consider the vote given on the 24th instant, disagreeing to the bill from the House of Representatives, entitled

"A further supplement to the act entitled "An act to enable the Governor to appoint Notaries Public, and for other purposes."

On the question,

Will the Senate agree so to re-consider?

It was determined in the negative.

The bill from the House of Representatives, entitled

"An act authorising a review of parts of a state road in Fayette and Greene counties;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"An act to incorporate the old Columbia Water Company;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and  
Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled  
"A further supplement to an act entitled "An act to provide for the erection of a state penitentiary on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes;" was read the second time, as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Smith and Mr. M'Meens,  
To amend the same, by adding thereto the following proviso, to wit.

"Provided, That not more than one third of the said sum shall be paid during the year one thousand eight hundred and twenty-one; one third during the year one thousand eight hundred and twenty-two, and the residue during the year one thousand eight hundred and twenty-three."

On the question,  
Will the Senate agree so to amend?

A motion was made by Mr. Hill and Mr. Piper,  
To amend said amendment, by striking out the word "third," where it first occurs, and by inserting in lieu thereof the word "half," and by inserting in lieu of the word "during," the word "in," and by inserting in lieu of the words "one third during," the words "and the remaining half in," and by striking out the words "and the residue during the year one thousand eight hundred and twenty-three."

On the question,  
Will the Senate agree so to amend said amendment?

It was determined in the affirmative; and

The amendment as amended was then agreed to.

On the question,  
Will the Senate agree to the first section?  
It was determined in the affirmative.

The remaining sections and title were severally considered and agreed to.

Ordered, That said bill be prepared for a third reading.

On motion of Mr. Fry and Mr. M'Meens,

The Senate resumed the second reading and consideration of the

Report made in the case of Charles L. Hutter, postponed for the present on the 24th of February last.

The resolution attached to said report recurring, and being under consideration:

A motion was made by Mr. Davidson and Mr. Cadwallader,

To postpone the same, for the purpose of introducing the following as a substitute, to wit:

"Resolved, That it is inexpedient to allow Charles L. Hutter, late printer of the journal of the Senate, in the German language, the sum of eighty-five dollars, which would have been due him if he had complied with his contract."

On the question,

Will the Senate agree to postpone for the purpose aforesaid?

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Breck, Cadwallader, Cochran, Coleman, Davidson, Eichelberger,	Messrs. Grosh, Leib, M'Meens, M'Mullin, Wallace, Willett, 12
NAYS.	NAYS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Fry, Hilt, Hurst, Markley,	Messrs. Piper, Power, Raguet, Sawyer, Smith, Winter, Marks, speaker, 15

So it was determined in the negative, and the original resolution was then agreed to.

Whereupon,

A warrant was accordingly so drawn.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Barnard in the chair, on the bill from the House of Representatives, entitled

"An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg Transporting Company."

And after some time,

The committee rose and reported said bill with amendments.

On motion,

Said bill was read the second time.

Section one being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh, To postpone the further consideration of the same, together with the bill, until to-morrow, which was agreed to.

Mr. Raguet read in his place, and presented to the chair, the following protest, to wit.

The undersigned, having on the 19th instant, voted against the bill entitled "A supplement to the act entitled "An act for the gradual abolition of slavery," feel it a duty they owe themselves, to state on the journals of the Senate, that the reasons which compelled them so to do, were the same as those which are recorded in a protest signed by Samuel Breck, and entered on the journal of the 20th instant.

CONDY RAGUET,  
JACOB GROSH.

*Harrisburg, March 27, 1821.*

Ordered, To lie on the table.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Coleman in the chair, on the bill from the House of Representatives, entitled

"An act to incorporate the Loudoun Town Water Company, in the county of Franklin."

And after some time,

The committee rose and reported said bill without amendment.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Davidson in the chair, on the bill from the House of Representatives, entitled

"An act for the relief of Bridget Bruton, and others."

And after some time,  
The committee rose and reported the bill disagreed to.

On the question,  
Will the Senate agree to said report?

It was determined in the affirmative and the bill lost.

Agreeably to order,  
The Senate resolved itself into a committee of the whole,  
Mr. Fry in the chair, on the bill from the House of Representatives, entitled

"An act supplementary to an act entitled "An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg."

And after some time,  
The committee rose, reported progress and obtained leave to sit again this afternoon.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

Mr. Hill, from the committee to whom was referred, on the 22d instant, the Governor's message relative to the passage of a general law on the subject of requiring bonds, with surety, for the faithful discharge of their duties from all those who hold appointments under the government, &c. made report, which was read as follows, to wit.

That they are convinced of the propriety of an uniformity in the taking of bonds from officers holding appointments under the government, but the advanced period of the session, and the multiplicity of business before the legislature, induces your committee to offer the following resolution:

Resolved, That the committee be discharged from the further consideration of the subject, and that it be recommended to the early attention of the next legislature.

On motion,  
Said report was again read, and the resolution thereto attached, considered and adopted.

Mr. Dickerson, from the committee on claims, to whom was

committed yesterday, the bill from the House of Representatives, entitled

"An act for the relief of sundry old soldiers, and widows of soldiers of the revolutionary war;" reported said bill with amendments, which were read.

Agreeably to order,

The Senate again resolved itself into a committee of the whole, Mr. Fry in the chair, on the bill from the House of Representatives, entitled

"An act supplementary to an act entitled "An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg."

And after some time,

The committee rose, and reported said bill with amendments.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

"An act authorising an advance of the state's proportion of stock to the fifth section of the Mercer and Meadville turnpike road;" was read the second time.

The section having been considered:

On the question,

Will the Senate agree to the same?

The yeas and nays were required by Mr. Hurst and Mr. Power, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Barnard,  
Breck,  
Conyngham,  
Fry,  
Hill,  
Hurst,

NAYS.

Messrs. Alter,  
Cadwallader,  
Cochran,  
Coleman,

YEAS.

Messrs. Markley,  
Piper,  
Power,  
Sawyer,  
Wallace,  
Willett,  
Marks, speaker, 14

NAYS.

Messrs. Grosh,  
Leib,  
M'Meens,  
M'Mullin,

NAYS.

Messrs. Davidson,  
Eichelberger,  
Eyster,  
Feger,

NAYS.

Messrs. Raguet,  
Smith,  
Winter,

15

So it was determined in the negative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Feger in the chair, on the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act affording immediate relief to Michael Mullen, and granting him an annuity," passed the sixth day of February one thousand eight hundred and ten.

And after some time,

The committee rose, and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Grosh and Mr. Raguet,

To postpone the further consideration of the same, together with the bill, for the present, which was agreed to.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to enable the governor to incorporate a company to make an artificial road by the best and nearest route, from the west end of the borough of York, to the borough of Gettysburg, in the county of Adams;" passed the eleventh day of March, one thousand eight hundred and fifteen, and for other purposes;" was read the second time.

Section one was considered and agreed to.

Section two having been considered:

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Coleman and Mr. Markley, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Barnard,

YEAS.

Messrs. Leib,  
Markley,

# JOURNAL OF

## YEAS.

Zonyngham,  
Eichelberger,  
Eyster,  
Feger,  
Fry,  
Grosh,  
Hill,  
Hurst,

## YEAS.

Messrs. M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Willett,  
Winter,  
Marks, Spei

## NAYS.

Alter,  
Breck,  
Cadwallader,  
Cochran,  
Coleman,

## NAYS.

Messrs. Davidson,  
M'Aullin,  
Raguet,  
Wallace,

was determined in the affirmative.

It was agreed to after being amended to read as follows.

Act respecting the erection of certain gates on the road from Gettysburg, and the Milford and Owego turnpike.

Resolved, That said bill be prepared for a third reading.

Whereupon, the Senate

unanimously resolved itself into a committee of the whole, Mr. M'Aullin in the chair, on the bill from the House of Representatives, entitled

An act authorising the commissioners of the several counties of this commonwealth, to erect and regulate election districts.

After some time,

the committee rose, and reported the first section of the bill to the Senate.

On the question,

Shall the Senate agree to said report?

Yeas and nays were required by Mr. Wallace and Mr. M'Aullin, and are as follow, to wit:

## YEAS.

Alter,  
Barnard,

## YEAS.

Messrs. Hurst,  
Leib,



YEAS.	YEAS.
<b>Messrs. Breck,</b> <b>Cadwallader,</b> <b>Cochran,</b> <b>Conyngham,</b> <b>Davidson,</b> <b>Dickerson,</b> <b>Eichelberger,</b> <b>Eyster,</b> <b>Fry,</b> <b>Grosh,</b> <b>Hill,</b>	<b>Messrs. Markley,</b> <b>M'Meens,</b> <b>M'Mullin,</b> <b>Piper,</b> <b>Power,</b> <b>Raguet,</b> <b>Sawyer,</b> <b>Smith,</b> <b>Willett,</b> <b>Marks, speaker,</b>
25	
NAYS.	NAYS.
<b>Messrs. Allshouse,</b> <b>Coleman,</b> <b>Feger,</b>	<b>Messrs. Wallace,</b> <b>Winter,</b>
	5

So it was determined in the affirmative, and the bill lost.

Agreeably to order,

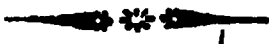
The Senate resolved itself into a committee of the whole, Mr. Hill in the chair, on the bill from the House of Representatives, entitled

"An act to erect the town of Bethany, in the county of Wayne, into a borough."

And after some time,

The committee rose and reported said bill with amendments.

Adjourned until 9 o'clock to-morrow morning.



**THURSDAY, March 29, 1821.**

Mr. Wallace obtained leave of absence for the remainder of the session from Monday next.

The clerk of the House of Representatives being introduced, returned the bills entitled as follow, viz.



said township may be erected into a separate election district; and

The same was read and laid on the table.

Mr. Cadwallader presented three petitions of similar tenor from sundry inhabitants of Bucks county, praying for certain alterations in the laws relative to the fisheries in the river Delaware; and

The same were read and laid on the table.

Mr. Raguet presented a remonstrance from sundry stockholders in "The company for the purpose of making and erecting a bridge over the river Susquehanna, in the county of Lancaster, near the town of Columbia," against the passage of a bill now before the legislature, relative to said company; and

Said petition was read and laid on the table.

Mr. Coleman, from the committee to compare bills and present them to the Governor for his approbation, made report, which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared, and on this day presented to the Governor, for his approbation, the following address, and the bills entitled as follow, to wit:

"Address to the Governor for the removal from office of Salmon Keeny, a justice of the peace of Bradford county."

"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Millerstown."

"An act for the relief of John Huey, of Berks county."

"An act annexing to Lebanon county, that part of East-Hanover and Bethel townships which lies north of the Blue or Kittating Mountain, in Dauphin county."

"A further supplement to an act entitled "An act to incorporate the town of Columbia, in the county of Lancaster."

"A supplement to an act entitled "An act to promote the comfort of the poor."

"An act to annul the marriage of George Taylor, and Sarah his wife."

"An act to prevent fishing with nets, &c. in East-Conococheague Creek, Franklin county."

"A supplement to an act entitled "An act to incorporate an Academy or Public School in the borough of Erie, and for other purposes therein mentioned."

"A supplement to the act entitled "An act authorising the



YEAS.	YEAS.
<b>Messrs. Rarnard, Breck, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Fry, Hill, Hurst,</b>	<b>Messrs. Leib, M'Meens, M'Mullin, Piper, Power, Baguet, Sawyer, Willett, Winter,</b>
19	
NAYS.	NAYS.
<b>Messrs. Allshouse, Alter, Dickerson, Eichelberger, Feger,</b>	<b>Messrs. Grosh, Smith, Wallace, Marks, speaker,</b>
	9

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The bill from the House of Representatives, entitled "An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg Transporting Company;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled "An act to incorporate the Loudoun Town Water Company, in the county of Franklin;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled "An act supplementary to an act entitled "An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Governor to incorporate the Washington and Pittsburg turnpike road company."

"An act providing compensation to James Lockhart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county."

Ordered, To lie on the table.

The bills from the House of Representatives, entitled as follows, to wit.

"An act to repeal part of the second section of an act entitled "A supplementary act to a law of this province entitled "An act that no public house or inn within this province be kept without license."

"A further supplement to an act entitled "An act to provide for the erection of a state penitentiary on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes."

"A supplement to the act entitled "An act to enable the Governor to incorporate a company to make an artificial road by the best and nearest route from the west end of the borough of York, to the borough of Gettysburg, in the county of Adams;" passed the eleventh day of March, one thousand eight hundred and fifteen, and for other purposes.

"An act authorising a review of parts of a state road in Fayette and Greene counties."

"An act to incorporate the old Columbia Water Company;" were severally read the third time; and

Resolved, That said bills pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the first without, and the four latter with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act supplementary to an act appropriating the monies arising from fines and forfeitures, to county purposes;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Grosh, and Mr. Coleman, and are as follow, to wit:

YEAS.	YEAS.
<b>Messrs. Rarnard,</b> <b>Breck,</b> <b>Cadwallader,</b> <b>Cochran,</b> <b>Coleman,</b> <b>Conyngham,</b> <b>Davidson,</b> <b>Fry,</b> <b>Hill,</b> <b>Hurst,</b>	<b>Messrs. Leib,</b> <b>M'Meens,</b> <b>M'Mullin,</b> <b>Piper,</b> <b>Power,</b> <b>Baguet,</b> <b>Sawyer,</b> <b>Willett,</b> <b>Winter,</b>
	19
NAYS.	NAYS.
<b>Messrs. Allshouse,</b> <b>Alter,</b> <b>Dickerson,</b> <b>Eichelberger,</b> <b>Feger,</b>	<b>Messrs. Grosh,</b> <b>Smith,</b> <b>Wallace,</b> <b>Marks, speaker,</b>
	9

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same without amendment.

The bill from the House of Representatives, entitled "An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg Transporting Company;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled "An act to incorporate the Loudoun Town Water Company, in the county of Franklin;" was read the second time as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled "An act supplementary to an act entitled "An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.





and subscribed such oath or affirmation, shall be liable to the penalties of wilful and corrupt perjury, and shall be incapable of holding any office of trust or profit for seven years after such conviction. And it shall be the duty of the county commissioners to forward blank forms of the oaths necessary to be taken by the inspectors, judges and clerks of each election district in their counties respectively, in pursuance of the provisions of this act and the former acts relating to elections;" and

On the question,

Will the Senate agree to said section?

It was determined in the negative.

The title being agreed to.

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Leibin the chair, on the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to raise and collect county rates and levies."

And after some time,

The committee rose and reported said bill with amendments.

The speaker laid before the Senate a letter from the Secretary of the Commonwealth, transmitting in obedience to law, statements from the several Prothonotaries, of the number of cases referred under the "Act regulating arbitrations," during the year 1820, so far as returns of the same have been received at his office; and

The same was read and laid on the table.

Adjourned until half-past three o'clock this afternoon.

### SAME DAY—IN THE AFTERNOON.

On motion of Mr. Dickerson and Mr. Wallace,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act for the relief of sundry old soldiers, and widows of

soldiers of the revolutionary war;" was read the second time:

Section one being under consideration:

A motion was made by Mr. Conyngham and Mr. Winter,

To insert the name of "James Barrett, of Columbia county," which was not agreed to.

A motion was then made by Mr. Winter and Mr. Power,

To insert the name of "Andrew Gangawere, of Northampton county," which was not agreed to.

A motion was then made by Mr. Dickerson and Mr. Piper,

To amend said section, by inserting after the words "Thomas Gay, of Pike county," the words "and Hugh Moore, of Washington county," which was agreed to, and the section as amended was then agreed to.

Section two was considered and agreed to.

The title was agreed to, after being amended by striking therefrom, the words "and widows of soldiers."

Ordered, That said bill be prepared for a third reading.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes," passed the twenty-third day of February, one thousand eight hundred and nine, and for other purposes;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Hurst in the chair, on the bill from the House of Representatives, entitled

"An act to provide for the more regular observance of the Sabbath, supplementary to the act entitled "An act for the prevention of vice and immorality, and unlawful gaming, and to restrain disorderly sports and dissipation."

And after some time,

The committee rose, and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Smith and Mr. Wallace, and are as follow, to wit:

YEAS	YEAS.
Messrs. Allshouse, Alter, Coleman, Davidson, Eichelberger, Feger, Fry, Grosh,	Messrs. Hurst, Leib, Markley, M'Meens, Piper, Sawyer, Willett, Winter, 16
NAYS.	NAYS.
Messrs. Breck, Cadwallader, Cochran, Conyngham, Eyster, M'Mullin,	Messrs. Power, Raguet, Smith, Wallace, Marks, Speaker, 11

So it was determined in the affirmative, and the bill lost.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act for the relief of John Bell;" was read the second time.

Section one having been considered:

On the question,

Will the Senate agree to said section?

It was determined in the negative, and the bill lost.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Markley in the chair, on the bill from the House of Representatives entitled

"A further supplement to an act entitled "An act to appoint commissioners to regulate the streets, lanes and alleys in the districts of Southwark, and to lay out new streets, lanes and alleys therein, for the accommodation of the inhabitants, and to lay out the roads therein mentioned, through the said district and parts of the townships of Moyamensing and Passyunk;" passed the twenty-ninth September, one thousand seven hundred and eighty-seven."

And after some time,

The committee rose and reported the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative and the bill lost.

On motion of Mr. Power and Mr. Wallace,

The Senate resolved itself into a committee of the whole, Mr. M'Meens in the chair, on the bill from the House of Representatives, entitled

"An act for the more convenient education of the poor gratis, within and near the City of Pittsburg and the borough of Harrisburg."

And after some time,

The committee rose and reported said bill with amendments.

On motion,

Said bill was read the second time.

The sections were severally considered and agreed to.

The bill was agreed to after being amended to read as follows, to wit:

"An act for the more convenient education of the poor gratis, within the county of Allegheny."

Ordered, that said bill be prepared for a third reading.

The Speaker laid before the Senate a letter from the Auditor General, which was read as follows, to wit:

*Auditor General's Office,  
29th March, 1821.*

SIR—In conformity with the provision contained in the 50th section of the act of the 30th March 1811, entitled "An act to amend and consolidate the several acts relating to the settlement of the public accounts, and the payments of the public monies; and for other purposes" I respectfully report.

That all the accounts of county Treasurers, brigade Inspectors and others in the receipt of public monies, or to whom public monies have been advanced, save only as to grants for improvements, have been settled, or are now in a course of settlement, with one exception viz:

Jacob G. Tryon Inspector 2d Brigade 1st Division.

And in pursuance of the fiftieth section of the act of the 30th,

March 1811 (in connection with the act of the 29th March 1813, transferring to the Auditor General the powers and duties in relation to the recovery of the public monies) I respectfully report,

That all the accounts, more than six months settled, on which balance remained due the Commonwealth, have been put in suit, save some accounts of small amount not exceeding in the whole the sum of six hundred and fifty dollars.

Very respectfully,  
Your most obedient servant,

GEO. BRYAN

*The honorable speaker of the }  
Senate of Pennsylvania. }*

Ordered, To lie on the table.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. M'Mullin in the chair, on the bill from the House of Representatives, entitled

"An act making appropriations to defray certain expenses of government therein mentioned."

And after some time,

The committee rose, and reported said bill with one amendment.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

"An act to encourage domestic industry and promote the comfort of the poor."

Was read the second time.

Section one being under consideration:

A motion was made by Mr. M'Meens and Mr. Fry,

To amend the same by striking from line six the words "except for rent,"

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. M'Meens and Mr. Wallace, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Conyngham, Fry, Grosh,	Messrs. M'Meena, Sawyer, Willett, Marks, speaker, 8
NAYS.	NAYS.
Messrs. Alter, Rarnard, Breck, Cochran, Coleman, Davidson, Eichelberger,	Messrs. Eyster, Feger, Leib, M'Mullin, Raguet, Smith, Wallace, 14

So, it was determined in the negative.

A motion was made by Mr. Grosh and Mr. Davidson,

To amend said section by striking therefrom the following proviso, viz :

*"Provided That the aforesaid exemption shall extend only to cases where the debt shall have been contracted after the said first day of September next,"*

Which was disagreed to,

And the section was then agreed to.

Same evening.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Piper in the chair, on the bill from the House of Representatives, entitled

*"An act authorising the laying out certain State roads therein mentioned."*

And after some time,

The committee rose, and reported said bill with amendments.

On motion,

Said bill was read the second time, considered by section, and agreed to; and

Ordered, That it be prepared for a third reading,

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from Erie to Waterford;" was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Raguet in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act for the improvement of the state."

And after some time,

The committee rose and reported said bill with amendments.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with the bill from the House of Representatives, entitled

"An act authorising the governor to appoint commissioners to view and lay out a road from Waterford in Mifflin county to Mexico, on the Juniata Fermanaugh township in the said county;" was read the second time.

Section one having been considered:

On the question,

Will the Senate agree to said section?

It was determined in the negative, and the bill lost.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with the bill from the House of Representatives, entitled

"A supplement to an act entitled "An act to regulate Proxies;" was read the second time, considered by section and agreed to; and

Ordered, That said bill be prepared for a third reading.

Agreeably to order,

The rule for going into a committee of the whole Mr. Sawyer

in the chair, on the bill from the House of Representatives, entitled

"An act to grant compensation to William Philson Esq. Sheriff of Somerset county."

And after some time,

The committee rose, reported progress and obtained leave to sit again to-morrow.

Adjourned until 9 o'clock to-morrow morning.

## FRIDAY, March 30, 1821.

Mr. Coleman from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared and on yesterday presented to the Governor for his approbation the bills entitled as follows, to wit:

"An act relative to Guardians of minor children."

"A supplement to the act entitled "An act for the promotion of agriculture and domestic manufactures."

"An act concerning bills of exchange."

"An act relating to proceedings in the action of account render."

"An act providing for the furnishing of the State Capitol and for other purposes therein mentioned."

"An act supplementary to an act entitled "An act to incorporate the township of Moyamensing in Philadelphia county." passed the 24th March 1812.

"An act to repeal part of the second section of an act entitled "A supplementary act to a law of this province entitled "An act that no public house or Inn within this province be kept without license.

"An act for the relief of Captain Robert Orr of the county of Armstrong."



**"An act supplementary to an act appropriating the monies arising from fines and forfeitures to county purposes."**

**"A supplement to the act entitled "An act to provide for the better preservation and increase of the Library of this Commonwealth."**

**Ordered, To lie on the table.**

Mr. Cochran from the Committee, to whom was referred on the 3d inst. a petition from James Taylor, made report which was read as follows, to wit.

Report, that the object of the law complained of appears to have been to compel each owner of the lot, and water privilege at the lower falls of Big Beaver, held by a number of individuals as tenants, in common including the petition to pay an equal proportion of the expence which might be incurred in keeping in repair the dam race and water course; and in regulating the gates and sluices belonging to the same.

Your Committee considering the principles of the Law in question, founded in strict justice and operating with perfect equality, or each owner of the said property, cannot under the circumstances recommend its repeal. They therefore submit the following Resolution:

**Resolved, That they be discharged from the further consideration of the subject.**

**On motion,**

Said report was again read, and the resolution thereto attached, considered and adopted.

The bills from the House of Representatives entitled as follows, to wit:

**"An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg transporting Company."**

**"An act to incorporate the Loudon town water company in the county of Franklin."**

**"A further supplement to an act entitled "An act to regulate the general elections within this Commonwealth."**

**"An act for the more convenient education of the poor gratis, within and near the City of Pittsburg and the borough of Harrisburg."**

**"An act authorising the laying out certain State roads therein mentioned."**

**"A supplement to an act entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from Erie to Waterford."**

"An act to encourage domestic industry, and promote the comfort of the poor."

"A supplement to an act entitled "An act to regulate Proxies."

"A supplement to an act entitled "An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes," passed the twenty-third day of February, one thousand eight hundred and nine, and for other purposes."

Were severally read the third time and

Resolved, That they pass.

Ordered, That the clerk return said bills to the House of Representatives with information that the Senate have passed the same the three latter without and the others with amendments in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled "An act for the relief of sundry old soldiers and widows of soldiers of the revolutionary war;" was read the third time, and

On the question shall this bill pass?

A motion was made by Mr. Smith and Mr. Winter,

To postpone the further consideration of said question, together with the bill for the present, which was agreed to.

The bill from the House of Representatives, entitled

A supplement to an act entitled "An act to raise and collect county rates and levies;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to, and

Ordered, That it be prepared for a third reading.

The bill from the House of Representatives, entitled

"A supplement to the act entitled "An act for the improvement of the state;" was read the second time as reported by a Committee of the whole yesterday.

Section one having been considered:

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Wallace, and Mr. Alter, and are as follow, to wit:

Messrs. Barnard,  
Breck,  
Cochran,  
Coleman,  
Conyngham,

NAYS.

Messrs. Allshouse,  
Alter,  
Cadwallader,  
Davidson,  
Eichelberger,  
Eyster,  
Feger,

Messrs. M'Meens,  
Power,  
Piper,  
Raguet,  
Smith,

NAYS.

Messrs. Fry,  
Grosh,  
Hill,  
Leib,  
Sawyer,  
Wallace,  
Marks, speaker, 14

So it was determined in the negative.

Whereupon,

A motion was made by Mr. Davidson and Mr. Grosh,

To re-consider said vote for the purpose of amending said section, by striking therefrom all that follows the word "that," in line third and by inserting in lieu thereof the following words, to wit:

"That part of the sixth section of the act to which this is a supplement, which requires the agents to open a smooth channel of a width sufficient to admit three or four arks or rafts to pass abreast, shall not be construed to extend to that channel of the Susquehanna river, known by the name of the low water channel, or to any of the creeks to which appropriations are made in said section.

On the question,

Will the Senate agree to re-consider for the purpose aforesaid?

It was determined in the affirmative; and

On the question,

Will the Senate agree so to amend?

It was determined in the affirmative, and the section as amended was then agreed to.

The title being agreed to.

Ordered, That said bill be prepared for a third reading.

**"An act concerning Bills of Exchange."**

**"A supplement to the act entitled "An act for the promotion of agriculture and domestic manufactures."**

**"An act relative to guardians of minor children."**

**"An act relating to proceedings in the action of accountant-render."**

**"A supplement to an act entitled "An act to provide for the better preservation and increase of the library of this commonwealth."**

**"An act providing for the furnishing of the State Capitol, and for other purposes therein mentioned."**

And informed, That the House of Representatives have passed said bills, the four first without, and the two last with amendments, in which the concurrence of the Senate is requested.

He further informed, that the House of Representatives have concurred in the amendments by the Senate, to the bills entitled as follow, viz.

**"An act providing compensation to James Lockhart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county."**

**"An act to annul the marriage of George Taylor, and Sarah his wife."**

**"An act to prevent fishing with nets, &c. in East-Conococheague Creek, Franklin county;"**

**"A supplement to an act entitled "An act to incorporate an Academy or Public School, in the borough of Erie, and for other purposes therein mentioned;" passed the twenty-fifth day of March, eighteen hundred and seventeen.**

**"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."**

**"An act supplementary to an act entitled "An act to incorporate the township of Moyamensing, in Philadelphia county, passed the twenty-fourth March, one thousand eight hundred and twelve."**

The amendments by the House of Representatives, to the bills above mentioned, were twice read, considered and concurred in; and

Ordered, That the clerk inform the House of Representatives accordingly.

Mr. Feger presented a petition from sundry inhabitants of Maiden Creek township, in the county of Berks, praying that

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Allshouse in the chair, on the bill from the House of Representatives, entitled

"A supplement to the several acts of general assembly respecting Auctions and Auctioneers."

And after some time,

The committee rose and reported said bill with amendments.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts, and desired the Secretary of the Commonwealth, to return them to the Houses in which they originated.

"An act to annul the marriage of George Taylor, and Sarah his wife."

"A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company."

"An act providing compensation to James Lockhart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county."

"A supplement to an act entitled "An act to incorporate an Academy or Public School, in the borough of Erie, and for other purposes therein mentioned."

"An act to prevent fishing with nets, &c. in East-Conococheague Creek, Franklin county;"

"A further supplement to the act entitled "An act to incorporate the town of Columbia in the county of Lancaster."

"A supplement to an act entitled "An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Millerstown."

"An act annexing to Lebanon county, that part of East Hanover and Bethel townships, which lies north of the Blue or Kit-taning Mountain, in Dauphin county."

Governor to incorporate the Washington and Pittsburg turnpike road company."

"An act providing compensation to James Lockhart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county."

Ordered, To lie on the table.

The bills from the House of Representatives, entitled as follows, to wit.

"An act to repeal part of the second section of an act entitled "A supplementary act to a law of this province entitled "An act that no public house or inn within this province be kept without license."

"A further supplement to an act entitled "An act to provide for the erection of a state penitentiary on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes."

"A supplement to the act entitled "An act to enable the Governor to incorporate a company to make an artificial road by the best and nearest route from the west end of the borough of York, to the borough of Gettysburg, in the county of Adams;" passed the eleventh day of March, one thousand eight hundred and fifteen, and for other purposes.

"An act authorising a review of parts of a state road in Fayette and Greene counties."

"An act to incorporate the old Columbia Water Company;" were severally read the third time; and

Resolved, That said bills pass.

Ordered, That the clerk return said bills to the House of Representatives, with information that the Senate have passed the same, the first without, and the four latter with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

"An act supplementary to an act appropriating the monies arising from fines and forfeitures, to county purposes;" was read the third time; and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Grosh, and Mr. Coleman, and are as follow, to wit:

**SAME DAY—IN THE AFTERNOON.**

On motion of Mr. Barnard and Mr. Dickerson,  
The amendments by the House of Representatives to the bill  
entitled  
"An act for the regulation of the Militia of this Common-  
wealth;" read this morning,  
Were again read,  
The following amendments were non-concurred in:

First amendment to section 30,  
The amendments to sections 34, 38, 55,  
The insertion of new section 57, 58,  
Last amendment to section 59,  
The remaining amendments were severally concurred in, with  
amendments thereto.

Ordered, That the clerk inform the House of Representa-  
tives accordingly.

On motion,  
The amendments by the House of Representatives to the bill,  
entitled  
"An act to prevent the cutting of Timber;" read this morn-  
ing were again read and the same being under consideration.  
A motion was made by Mr. Grosh and Mr. Conyngham, to  
postpone the further consideration of said amendments together  
with the bill indefinitely, and

On the question,  
Will the Senate agree so to postpone,  
The yeas and nays were required by Mr. Dickerson and Mr.  
Grosh, and are as follow, to wit:

**YEAS**

Messrs. Alter,  
Conyngham,  
Feger,  
Fry,  
Grosh,  
Hill,  
Leib,

**YEAS.**

Messrs. Markley,  
Piper,  
Power,  
Smith,  
Willett,  
Winter,  
Marks, Speaker

On motion, and by special order,  
Said bill was read the third time; and  
Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled  
"An act to erect the town of Betheny, in the county of Wayne, into a borough;" was read the second time, as reported by a committee of the whole yesterday, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion, and by special order,  
Said bill was read the third time; and  
Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives, with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Grosh and Mr. Coleman,  
The bill from the House of Representatives, entitled  
"A further supplement to an act entitled "An act to regulate the general elections within this commonwealth;" was read the second time, as reported by a committee of the whole on the 26th instant.

Sections one, two and three were severally considered and agreed to.

A motion was then made by Mr. Grosh and Mr. M'Mullin,  
To add a new section in the following words, viz.

"And be it further enacted by the authority aforesaid, That each and every inspector, judge and clerk of any election, shall, before he enters upon the duties of his appointment, in addition to the usual oaths or affirmations, take and subscribe an oath or affirmation, as the case may be, that he does not hold any office or appointment, or agency of any kind whatever under the United States. And if any judge, inspector, or clerk, shall refuse to take and subscribe the said oath or affirmation, this place shall be supplied in the same manner that vacancies which happen in cases of delinquency are at present supplied. And any judge, inspector or clerk, who shall be convicted of having held an office or agency as aforesaid, at the time he took



And after some time,

The committee rose and reported the bill disagreed to. And

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Alter and Mr. Allshouse,

To postpone the consideration of said question and bill for the present,

Which was agreed to.

A motion was made by Mr. Raguet and Mr. Davidson,

That when the Senate adjourns, it will adjourn to meet at half past seven o'clock this evening. And

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follow, to wit:

## YEAS.

Messrs. Alter,  
Breck,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,

## YEAS.

Messrs. Eyster,  
Feger,  
Grosh,  
Raguet,  
Willett,

14

## NAYS.

Messrs. Allshouse,  
Cadwallader,  
Fry,  
Hill,  
Hurst,  
Leib,  
Markley,

## NAYS.

Messrs. M'Meens,  
M'Mullin,  
Power,  
Sawyer,  
Smith,  
Wallace,  
Marks, speaker,

44

So it was determined in the negative.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with, the bill from the House of Representatives, entitled

"An act for the relief of John Davis," was read the second time considered by section and agreed to, and

Ordered, That it be prepared for a third reading.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill from the House of Representatives, entitled

"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania Militia that rendezvoused at Pittsburg on the 2d day of October, 1812."

And after some time,

The committee rose, and reported the bill disagreed to, and

On the question,

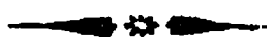
Will the Senate agree to said report?

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration of said question for the present and recommend the bill to the early attention of the next legislature,

Which was agreed to.

Adjourned until 9 o'clock to-morrow morning.



## SATURDAY, March 31, 1821.

Mr. Coleman from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives they have compared and on this day presented to the Governor for his approbation, the bills entitled as follows, to wit:

"An act supplementary to an act entitled 'An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg.'"

**"An act to incorporate the old Columbia Water Company."**

**"An act respecting the erection of certain gates on the York and Gettysburg, and the Milford and Owego turnpike roads."**

**"A further supplement to an act entitled "An act to provide for the erection of a state penitentiary on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes."**

**"A supplement to an act entitled "An act to regulate Proxies."**

**"An act to encourage domestic industry, and promote the comfort of the poor."**

**"A supplement to an act entitled "An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes," passed the twenty-third day of February, one thousand eight hundred and nine, and for other purposes."**

**"A supplement to the act entitled "An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from Erie to Waterford;"**

**"A supplement to the act entitled "An act directing the formation of a map of Pennsylvania."**

**"An act authorising the laying out certain State roads therein mentioned."**

**"An act to incorporate the Loudoun Town Water Company, in the county of Franklin;"**

**"An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg transporting Company."**

**"An act to erect the Town of Bethany in the county of Wayne into a Borough."**

**"An act for the more convenient education of the poor gratis, within the county of Allegheny."**

**Ordered, To lie on the table.**

Mr. Barnard from the committee to whom were referred the petition, from citizens of the townships of Birmingham and Thornbury, in Delaware county and others praying that those townships may be attached to the county of Chester and also certain remonstrances from the citizens of Delaware county, against the prayer of the petitions; reported the following resolution, to wit:

**Resolved, That the subject be recommended to the early consideration of the next legislature.**

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Alter in the chair, on the bill from the House of Representatives, entitled

"An act authorising the auditor general to settle and adjust the accounts of the Pennsylvania Militia that rendezvoused at Pittsburg on the 2d day of October, 1812."

And after some time,

The committee rose, and reported the bill disagreed to, and

On the question,

Will the Senate agree to said report?

A motion was made by Mr. Davidson and Mr. Grosh,

To postpone the further consideration of said question for the present and recommend the bill to the early attention of the next legislature,

Which was agreed to.

Adjourned until 9 o'clock to-morrow morning.



## SATURDAY, March 31, 1821.

Mr. Coleman from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives they have compared and on this day presented to the Governor for his approbation, the bills entitled as follows, to wit:

"An act supplementary to an act entitled 'An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg.'"

“An act to incorporate the old Columbia Water Company.”

“An act respecting the erection of certain gates on the York and Gettysburg, and the Milford and Owego turnpike roads.”

“A further supplement to an act entitled “An act to provide for the erection of a state penitentiary on the public land adjoining the town of Allegheny, opposite Pittsburg, in the county of Allegheny, and for other purposes.”

“A supplement to an act entitled “An act to regulate Proxies.”

“An act to encourage domestic industry, and promote the comfort of the poor.”

“A supplement to an act entitled “An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes,” passed the twenty-third day of February, one thousand eight hundred and nine, and for other purposes.”

“A supplement to the act entitled “An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from Erie to Waterford;”

“A supplement to the act entitled “An act directing the formation of a map of Pennsylvania.”

“An act authorising the laying out certain State roads therein mentioned.”

“An act to incorporate the Loudoun Town Water Company, in the county of Franklin;”

“An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg transporting Company.”

“An act to erect the Town of Bethany in the county of Wayne into a Borough.”

“An act for the more convenient education of the poor gratis, within the county of Allegheny.”

Ordered, To lie on the table.

Mr. Barnard from the committee to whom were referred the petition, from citizens of the townships of Birmingham and Thornbury, in Delaware county and others praying that those townships may be attached to the county of Chester and also certain remonstrances from the citizens of Delaware county, against the prayer of the petitions; reported the following resolution, to wit:

Resolved, That the subject be recommended to the early consideration of the next legislature.

On motion,

Said report was again read and the resolution thereto attached considered and adopted.

The bills from the House of Representatives entitled as follows to wit:

"A supplement to an act entitled "An act to raise and collect county rates and levies."

"An act making appropriations to defray certain expenses of government therein mentioned."

"An act to compensate John Davis, for certain rations furnished by him to a detachment of troops, in the service of this state, during the late war."

Were severally read the third time, and

Resolved, That they pass.

Ordered, That the clerk return said bills to the House of Representatives with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion of Mr. Smith and Mr. Fry,

The Senate resumed the third reading and consideration of the bill from the House of Representatives, entitled

"An act for the relief of sundry old soldiers, and widows of soldiers of the revolutionary war;" postponed for the present yesterday.

The question recurring,

Shall this bill pass?

A motion was made by Mr. Smith and Mr. Power,

That the Senate again resolve itself into a committee of the whole on said bill which was agreed to.

Whereupon,

The Senate resolved itself into a committee of the whole, Mr. Conyngham in the chair.

And after some time,

The committee rose, and reported said bill with amendments, which were concurred in by the Senate, and

The question recurring,

Shall this bill pass?

It was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced, returned the bills entitled as follow, viz.

"An act to legalize the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes."

"An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne."

"A supplement to an act entitled "An act to authorize the Auditor General to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery."

"A supplement to the act entitled "An act to authorize the governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia."

"An act to authorize the appointment of Commissioners to investigate the causes and extent of pauperism within the City and Liberties of Philadelphia."

"A supplement to the act establishing an Academy in Chester county, passed the thirteenth March, eighteen hundred and eleven."

"A further supplement to an act entitled "An act granting a sum of money to aid in removing certain obstructions out of Sheerman's creek."

"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey certain real estate."

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's Mill in Loyalsock township, to Hogland's Mill in Elkland township."

"An act repealing the act laying a tax on dogs so far as the same relates to the Counties of Green and Fayette."

"An act to authorize certain trustees therein named, to convey a lot of ground in Birmingham township, in Chester

**"An act authorising the Downingtown, Ephrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge."**

**"An act for the relief of witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at court."**

**"An act to confirm certain proceedings in the orphan's court of Lancaster county, and for other purposes."**

**And informed that the House of Representatives have passed said bills, thenine first without and the six last with amendments, in which the concurrence of the Senate is requested,**

**He also returned without amendments,**

**A Resolution relative to obstructions in certain streams of water running into the State of New-York.**

**He further informed that the House of Representatives have concurred in the amendments by the Senate to the bills entitled, as follows viz:**

**"An act for the more convenient education of the poor gratis, within and near the City of Pittsburg and the borough of Harrisbug."**

**"An act to erect the town of Bethany in the county of Wayne into a borough."**

**"An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg transporting company."**

**"An act to incorporate the Loudon water company in the county of Franklin."**

**"An act authorising the laying out certain State roads therein mentioned."**

**"An act authorising a review of parts of a state road, in Fayette and Greene counties."**

**The Speaker stated to the Senate that the time for which he was elected to the Senate will expire on the second Tuesday of October next; and that as there ought to be no vacancy in the office of Speaker, between that day and the meeting of the succeeding Legislature, he now resigned his seat as Speaker of the Senate.**

**Whereupon,**

**On motion of Mr. Raguet and Mr. Davidson,**

**The Senate proceeded to the election of a Speaker (the clerks being first appointed tellers,) and upon ascertaining the votes, it**



appeared that Philip S. Markley had fourteen votes, Joshua Dickerson had seven votes, Robert Smith had four votes, Condj Raguet had three votes, and Cyrus Cadwallader had one vote.

So it appeared that neither of the candidates had a majority of the whole number of votes.

Whereupon,

On motion of Mr. Grosh and Mr. Davidson,

The Senate proceeded to a second ballot, (tellers as before,) when upon ascertaining the votes it appeared that Philip S. Markley had nineteen votes, Robert Smith had three votes, Joshua Dickerson had three votes, Condj Raguet had three votes, and Cyrus Cadwallader had one vote.

Whereupon,

Philip S. Markley was declared to be duly elected Speaker of the Senate.

Mr. Marks administered the requisite oath of office to the Speaker.

The bill from the House of Representatives, entitled

"An act authorising the Governor to procure on loan one Million of dollars ;" was read the second time, as reported by a Committee of the whole yesterday.

Section one having been considered:

On the question,

Will the Senate agree to said section?

The yeas and nays were required by Mr. Smith and Mr. Eichelberger, and are as follow, to wit.

YEAS.	YEAS.
Messrs. Allshouse, Cadwallader, Cochran, Conyngham, Davidson, Grosh, Hill, Hurst,	Messrs. Leib, Marks, M'Meens, M'Mullin, Piper, Power, Raguet, Sawyer,
	16.
NAYS.	NAYS.
Messrs. Alter, Barnard,	Messrs. Eyster, Smith,

Coleman,  
Eichelberger,

Willetts,  
Markley, speaker, &

So it was determined in the affirmative.

The remaining sections and title were severally considered and agreed to.

Ordered, That said bill be prepared for a third reading.

A motion was then made by Mr. Raguet and Mr. Grosh,

To dispense with the rule which prevents bills from being read twice on the same day, so far as respects this bill

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Smith and Mr. Grosh, and are as follows, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Cadwallader, Cochran, Coleman, Conyngham, Davidson, Grosh, Hill, Hurst,	Messrs. Leib, Marks, M'Meena, M'Mullin, Piper, Power, Raguet, Sawyer,
	17.
NAYS.	NAYS.
Messrs. Alter, Barnard, Eichelberger, Eyster,	Messrs. Smith, Willetts, Markley, Speaker,
	7.

So it was determined in the affirmative,

Whereupon,

Said bill was read the third time; and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Eichelberger and Mr. Smith, and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Cadwallader,  
Cochran,  
Conyngham,  
Davidson,  
Grosh,  
Hill,  
Hurst,

## NAYS.

Messrs. Alter,  
Barnard,  
Coleman,  
Eichelberger,

## YEAS.

Messrs. Leib,  
Marks,  
M'Meens,  
M'Vullin,  
Piper,  
Power,  
Raguet,  
Sawyer,

16.

## NAYS.

Messrs. Eyster,  
Smith,  
Willett,  
Markley, speaker, 8

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments in which the concurrence of that House is requested.

The Clerk of the House of Representatives being introduced, informed, That the House of Representatives have concurred in the amendments by the Senate to the amendments by the House of Representatives, to the bill entitled "An act for the regulation of the militia of this Commonwealth."

He further informed that the House of Representatives have receded from all the amendments now concurred in by the Senate, except by the following, viz:

The amendments to section XXXVIII. LV. LVII. LVIII. and LIX. line 12, to which they adhere.

A motion was made by Mr. Eichelberger and Mr. M'Meens and read as follows; viz:

Resolved, That the thanks of the Senate are due and are hereby given to William Marks, Esq. late Speaker of this body, for the impartial able and honorable manner in which he discharged the duties of the chair.

On motion,

Said resolution was again read considered and unanimously adopted.

The bill from the House of Representatives, entitled

"An act laying duty on the retailers of foreign Merchandize;" was read the second time, as reported by a Committee of the whole yesterday.

Section one having been considered.

On the question,

Will the Senate agree to said section ?

The yeas and nays were required by Mr. Allshouse and Mr. M'Meens, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Cochran, Conyngham, Davidson, Hill, Hurst,	Messrs. Marks, M'Meens, Piper, Power, Sawyer, Smith, Markley, Speaker, 15.
NAYS.	NAYS.
Messrs. Coleman, Eyster, Grosh, Leib,	Messrs. M'Mullin, Raguet, Willett, Winter, 8.

So it was determined in the affirmative.

Section two being under consideration:

A motion was made by Mr. Raguet and Mr. M'Mullin,

To amend the same by striking from line three, the words "fifteen dollars," and by inserting in lieu thereof, the words "ten dollars."

On the question,

Will the Senate agree so to amend ?

A division of the question was called for by Mr. Hill, to end with striking out.

"On the question,

Will the Senate agree so to strike out?

It was determined in the negative, and the section was then agreed to.

The remaining sections and title were severally considered and agreed to.

On the question,  
Shall this bill be prepared for a third reading.

The yeas and nays were required by Mr. M'Mullin and Mr. Power, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Cochran, Conyngham, Davidson, Hill,	Messrs. Hurst, Marks, M'Meens, Piper, Power, Sawyer, Smith,
NAYS.	NAYS.
Messrs. Cadwallader, Coleman, Eyster, Grosh, Leib,	Messrs. M'Mullin, Raguet, Willett, Winter, Markley, speaker, 10.

So it was determined in the affirmative.

On motion, and by special order,

Said bill was read the third time; and

Resolved, That it pass.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

“A supplement to the several acts of the general assembly respecting auctions and auctioneers;” was read the second time as reported by a committee of the whole yesterday.

Section one being under consideration:

A motion was made by Mr. Coleman and Mr. Raguet,

To amend the same by striking from line three the word “two” and inserting in lieu thereof the word “six.”

On the question,

Will the Senate agree so to amend?

The yeas and nays were required by Mr. Grosh, and Mr. Coleman, and are as follow, to wit:

**YEAS.**  
Messrs. Cochran,  
Coleman,  
Davidson,  
Grosh,

**YEAS.**  
Messrs. Leib,  
M'Mullin,  
Raguet,

7

**NAYS.**  
Messrs. Allshouse,  
Alter,  
Barnard,  
Cadwallader,  
Conyngham,  
Hill,  
Hurst,  
Marks,

**NAYS.**  
Messrs. M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Willett,  
Winter,  
Markley, speaker. 16

So it was determined in the negative.

A motion was made by Mr. Raguet and Mr. Coleman,  
To amend said section by striking from the line fourteen  
the words "two thousand dollars" and by inserting in lieu there-  
of the words "one thousand dollars."

On the question,  
Will the Senate agree so to amend?

A division of the question was called for by Mr. Davidson, to  
end with striking out.

On the question,  
Will the Senate agree so to strike out?  
It was determined in the negative.

A motion was then made by Mr. Barnard and Mr. Hurst,  
To postpone the further consideration of said section togeth-  
er with the bill for the present, and to recommend the same to  
the early attention of the next Legislature.

On the question,  
Will the Senate agree to said motion?  
The yeas and nays were required by Mr. Conyngham and  
Mr. Willett, and are as follow, to wit :

**YEAS.**  
Messrs. Alter,  
Barnard,  
Cadwallader,  
Coleman,  
Eyster,

**YEAS.**  
Messrs. Hurst,  
Leib,  
Piper,  
Sawyer,

9

**YAYS.**

**Messrs. Allshouse,  
Cochran,  
Conyngham,  
Davidson,  
Eichelberger,  
Grosh,  
Hill,  
Marks,**

**NAYS.**

**Messrs. M'Meens,  
M'Mullin,  
Power,  
Raguet,  
Smith,  
Willett.  
Winter,  
Markley, Speaker, 16**

**So it was determined in the negative.**

**On the question,**

**Will the Senate agree to the section?**

**The yeas and nays were required by Mr. M'Mullin and Mr. Rower and are as follow, to wit:**

**YEAS.**

**Messrs. Allshouse,  
Alter,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Grosh,**

**YEAS.**

**Messrs. Hill,  
Marks,  
M'Meens,  
Power,  
Smith,  
Willett,  
Winter,**

**14**

**NAYS.**

**Messrs. Barnard,  
Cadwallader,  
Cochran,  
Eyster,  
Hurst,  
Leib,**

**NAYS.**

**Messrs. M'Mullin,  
Piper,  
Raguet,  
Sawyer,  
Markley, speaker, 11**

**So it was determined in the affirmative.**

**The remaining sections, were severally considered and agreed to.**

**The preamble was considered and disagreed to.**

**The title being agreed to.**

**Ordered, that said bill be prepared for a third reading.**

**On motion and by special order,**

YEAS.  
Messrs. Cochran,  
Coleman,  
Davidson,  
Grosh,

YEAS.  
Messrs. Leib,  
M'Mullin,  
Raguet,

7

NAYS.  
Messrs. Allshouse,  
Alter,  
Barnard,  
Cadwallader,  
Conyngham,  
Hill,  
Hurst,  
Marks,

NAYS.  
Messrs. M'Meens,  
Piper,  
Power,  
Sawyer,  
Smith,  
Willett,  
Winter,  
Markley, speaker. 16

So it was determined in the negative.

A motion was made by Mr. Raguet and Mr. Coleman,  
To amend said section by striking from the line fourteen  
the words "two thousand dollars" and by inserting in lieu there-  
of the words "one thousand dollars."

On the question,  
Will the Senate agree so to amend?

A division of the question was called for by Mr. Davidson, to  
end with striking out.

On the question,  
Will the Senate agree so to strike out?  
It was determined in the negative.

A motion was then made by Mr. Barnard and Mr. Hurst,  
To postpone the further consideration of said section togeth-  
er with the bill for the present, and to recommend the same to  
the early attention of the next Legislature.

On the question,  
Will the Senate agree to said motion?  
The yeas and nays were required by Mr. Conyngham and  
Mr. Willett, and are as follow, to wit :

YEAS.  
Messrs. Alter,  
Barnard,  
Cadwallader,  
Coleman,  
Eyster,

YEAS.  
Messrs. Hurst,  
Leib,  
Piper,  
Sawyer,

9



## NAYS.

Messrs. Allshouse,  
Cochran,  
Conyngham,  
Davidson,  
Eichelberger,  
Grosh,  
Hill,  
Marks,

## NAYS.

Messrs. M'Meens,  
M'Mullin,  
Power,  
Raguet,  
Smith,  
Willetts.  
Winter,  
Markley, Speaker, 16.

So it was determined in the negative.

On the question,

Will the Senate agree to the section?

The yeas and nays were required by Mr. M'Mullin and Mr. Rower and are as follow, to wit:

## YEAS.

Messrs. Allshouse,  
Alter,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Grosh,

## YEAS.

Messrs. Hill,  
Marks,  
M'Meens,  
Power,  
Smith,  
Willetts,  
Winter,

14

## NAYS.

Messrs. Barnard,  
Cadwallader,  
Cochran,  
Eyster,  
Hurst,  
Leib,

## NAYS.

Messrs. M'Mullin,  
Piper,  
Raguet,  
Sawyer,  
Markley, speaker, 11

So it was determined in the affirmative.

The remaining sections, were severally considered and agreed to.

The preamble was considered and disagreed to.

The title being agreed to.

Ordered, that said bill be prepared for a third reading.

On motion and by special order,

**Said bill was read the third time, and**

**Resolved, That it pass.**

**Ordered, That the clerk return said bills to the House of Representatives with information that the Senate have passed the same with amendments in which the concurrence of that House is requested.**

**The clerk of the House of Representatives being introduced, returned the bills entitled as follows, viz:**

**"An act regulating fences in the counties of Cumberland and Perry."**

**"A supplement to an act entitled "An act to declare and regulate escheats."**

**"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."**

**"An act to incorporate the apprentices library company, of Philadelphia."**

**"An act authorising the Governor to appoint commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county."**

**"A supplement to an act entitled "An act for establishing a health-office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."**

**"An act relating to the appointment of the treasurer of Bucks county."**

**"An act authorising the president and managers of the Pawlingsford Bridge, over the river Schuylkill, to sell and transfer all their corporate rights and property."**

**And inform that the House of Representatives have passed said bills the three first without and the five last with amendments in which the concurrence of the Senate is requested.**

**He further informed, that the House of Representatives have non-concurred in the amendments by the Senate, to the bill entitled,**

**"A supplement to the act entitled "An act for the improvement of the State."**

**On motion of Mr. Alter and Mr. Allshouse**

**The Senate proceeded to the consideration of the report of the committee of the whole disagreeing to the bill from the House of Representatives entitled,**

**"A supplement to an act entitled "An act erecting part of Cumberland county into a separate county to be called Perry" postponed for the present yesterday.**

The question recurring,

Will the Senate agree to said report?

The yeas and nays were required by Mr. Alter and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Grosh, Hill, Marks,	Messrs. M'Mullin, Power,
	5
NAYS.	NAYS.
Allshouse, Alter, Barnard, Cochran, Coleman, Conyngham, Eichelberger, Eyster, Feger,	Messrs. Hurst, Leib, Piper, Raguet, Sawyer, Smith, Willetts, Winter, Markley, speaker. 18

So it was determined in the negative.

Whereupon,

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

A motion was made by Mr. Davidson and Mr. Eichelberger, and read as follows to wit:

Resolved, That the Speaker draw his warrant on the State Treasurer in favor of H. W. Peterson Printer of the journal of the Senate in the german language for one hundred dollars in addition to the sums he has already drawn, he to account for the same in the settlement of his account.

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

On motion,

The Senate proceeded to the consideration of the amendments by the House of Representatives to the bill entitled

"An act for the regulation of the militia of this commonwealth;" non-concurred in by the Senate and adhered to by that House.

The amendment to section 38 being under consideration.

A motion was made by Mr. Davidson and Mr. Eichelberger,

That the Senate recede from their non-concurrence in said amendment,

On the question,

Will the Senate agree so to recede?

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Alter, Cochran, Coleman, Davidson, Eichelberger, Eyster, Feger,	Messrs. Grosh, Leib, M'Mullin, Power, Willett, Winter,
	16
NAYS.	NAYS.
Messrs. Allshouse, Barnard, Conyngham, Fry, Hill, Hurst, Marks,	Messrs. M'Meens, Piper, Raguet, Sawyer, Smith, Markley, speaker, 13

So it was not agreed to.

A motion was then made by Mr. Barnard and Mr. Conyngham,

That the Senate insist on their non-concurrence in said amendment which was agreed to.

The next amendment to wit "strike out section fifty-five" being under consideration.

A motion was made by Mr. Hill and Mr. M'Meens,

That the Senate insist on their non-concurrence in said amendment.

On the question,

Will the Senate agree so to insist?

The yeas and nays were required by Mr. Coleman and Mr. Raguet and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Barnard, Conyngham, Davidson, Eichelberger, Eyster, Feger, Fry, Hill,	Messrs. Hurst, Marks, M'Meens, Piper, Power, Sawyer, Smith, Willett, Winter, Markley, speaker, 20
NAYS.	NAYS.
Messrs. Cochran, Coleman, Grosh,	Messrs. M'Mullin, Raguet, 5

So it was determined in the affirmative.

On motion,

The Senate receded from their non-concurrence in the remaining amendments.

On motion,

Ordered, That Mr. Hill Mr. Barnard and Mr. Marks, be a Committee to confer with a similar Committee from the House of Representatives, if that House shall appoint such Committee on the subject of said amendments.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion of Mr. Coleman and Mr. Winter,

The Senate adjourned until 3 o'clock this afternoon

**SAME DAY—IN THE AFTERNOON.**

The amendments by the House of Representatives read this morning-to the bills entitled as follows, to wit:

“An act to incorporate the Apprentices Library Company of Philadelphia.”

“An act authorising the Governor to appoint Commissioners to view and lay out a State road from Waynesburg in Greene county to the borough of Beaver in Beaver county.”

“A supplement to an act entitled “An act establishing a health office, and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes.”

“An act relating to the appointment of the treasurer of Bucks county.”

“An act authorising the President and managers of Pawlingsford Bridge over the river Schuylkill, to sell and transfer all their corporate rights and property.”

“An act repealing the act laying a tax on dogs so far as the same relates to the counties of Greene and Fayette.”

“An act to authorise certain trustees therein named to convey a lot of land in Birmingham township, in Chester county.”

“An act to extend the time for patenting lands in the seventeen townships of Luzerne.”

“An act authorising the Downingstown Euphrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge.”

“An act for the relief of witnesses on the part of this Commonwealth, who may be committed to prison within the City and county of Philadelphia, in consequence of their not being able to find surety for their appearance at court.”

“An act to confirm certain proceedings in the Orphans court of Lancaster county, and for other purposes;” were severally read the second time, considered and concurred in.

Ordered, That the Clerk inform the House of Representatives accordingly.

On motion,

The Senate proceeded to the consideration of the amendments, by the Senate to the bill from the House of Representa-

tives entitled

"An act for the improvement of the State," non-concurred in by that House.

Whereupon,

A motion was made by Mr. Raguet and Mr. Alter,

To postpone the further consideration of said amendments together with the bill indefinitely ; which was agreed to.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act authorising the court of Quarter Sessions, of Lehigh county, to direct a review of a part of the state road leading from the borough of Northampton to Jonestown ;" was read the second time, considered by section and agreed to, and

Ordered, That it be prepared for a third reading.

On motion, and by special order,

Said bill was read the third time; and

Resolved, That it pass.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate have passed the same without amendment,

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with the bill from the House of Representatives, entitled

"An act to aid the Waterford Academy, in Erie county ;" was read the second time, considered by section and disagreed to ; and the bill lost.

Agreeably to order,

The rule for going into a committee of the whole being in this case dispensed with, the bill from the House of Representatives, entitled

"An act for the relief of Joel Baily, late deputy sergeant at arms ;" was read the second time.

The section being under consideration:

A motion was made by Mr. Davidson and Mr. Grosh,

To amend the same by striking from line five the words "one

The rule for going into a committee of the whole being in this case dispensed with the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act to compel assignees to settle their accounts, and for other purposes;" was read the second time considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion and by special order,

Said bill was read the third time, and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same without amendment.

On motion of Mr. Raguet and Mr. Conyngham,

The Senate adjourned until half-past 7 o'clock this evening.

### SAME EVENING.

Mr Smith obtained leave to withdraw the petition and documents of William Power, from the files of the present session.

Agreeably to order,

The Senate resolved itself into a committee of the whole, Mr. Dickerson in the chair, on the bill from the House of Representatives, entitled

"A supplement to the act entitled "An act regulating Banks."

And after some time,

The committee rose, and reported the first section of the bill disagreed to.

On the question,

Will the Senate agree to said report?

It was determined in the affirmative and the bill lost.

The clerk of the House of Representatives being introduced, returned the bills entitled as follows, viz.

"A further supplement to the act entitled "An act to incorporate the Kensington District of the Northern Liberties."

"An act to authorise the Trustees of Leonard Walter to borrow money on Mortgage."



"An act for the removal of certain actions of ejectment for lands, in Schuylkill county, which were instituted in Berks county before the division thereof."

"An act appointing commissioners to construct a road in Clearfield county, from the seat of Justice of said county, to the Moshannon creek."

"An act to authorise the commissioners of Chester county, to purchase certain indexes."

"An act relative to the Octoraro Navigation."

"An act for the relief of John M'Clean, a captain in the late war."

"A further supplement to the act entitled "An act for the consolidation and amendment of the laws as far as they respect the poor of the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties," and informed that the House of Representatives have passed said bills the seven first without and the last with amendments, in which the concurrence of Senate is requested.

He also returned without amendment the resolution relative to the Ownership and value of Lots at Harrisburg opposite the State buildings."

Mr. Coleman from the committee to prepare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives they have compared and on this evening presented to the governor for his approbation. the resolution and bills entitled as follows, to wit:

"Resolution relative to obstructions in certain streams running into the state of New-York."

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's Mill in Loyalsock township, to Hogland's Mill in Elkland township."

"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey certain real estate."

"A further supplement to an act entitled "An act granting a sum of money to aid in removing certain obstructions out of Sheerman's creek."

"A supplement to the act establishing an Academy in Chester county, passed the thirteenth March, eighteen hundred and eleven."

"An act to authorize the appointment of Commissioners to investigate the causes and extent of pauperism within the City and Liberties of Philadelphia."

"A supplement to the act entitled "An act to authorize the governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia."

"A supplement to an act entitled "An act to authorize the Auditor General to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery."

"An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne."

"An act to legalize the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes."

"An act regulating fences in the counties of Cumberland and Perry."

"A supplement to an act entitled "An act to declare and regulate escheats."

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

"An act to confirm certain proceedings in the orphan's court of Lancaster county, and for other purposes."

"An act to incorporate the apprentices library company, of Philadelphia."

"A supplement to an act entitled "An act for establishing a health-office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

"An act for the relief of witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at court."

"An act to authorize certain trustees therein named, to convey a lot of ground in Birmingham township, in Chester county."

Ordered, To lie on the table.

Agreeably to order,

The rule for going into a committee of the whole, being in this case dispensed with the bill from the House of Representatives, entitled

"An act for the relief of Daniel Sharp." was read the second time considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion and by special order.

Said bill was read the third time; and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments in which the concurrence of that House is requested.

On motion of Mr. Dickerson and Mr. Piper,

The rule for going into a committee of the whole being in this case dispensed with the bill from the House of Representatives, entitled

An act to authorize the laying out of a state road from Mount Pleasant, in Westmoreland county, to intersect the national road east of Washington in Washington county; was read the second time, considered by section and disagreed to, and

Ordered, That it be prepared for a third reading.

On motion and by special order,

Said bill was read the third time, and

On the question,  
Shall this bill pass?

The yeas and nays were required by Mr. Grosh and Mr. M'Mullin, and are as follow, to wit.

## YEAS.

Messrs. Alter,  
Cadwallader,  
Cochran,  
Conyngham,  
Dickerson,  
Hurst,  
Piper,

## NAYS.

Messrs. Davidson,  
Eyster,  
Feger,

## YEAS.

Messrs. Power,  
Raguet,  
Sawyer,  
Smith,  
Willett.  
Winter,  
Markley, Speaker, 14.

## NAYS.

Messrs. Fry,  
Grosh,  
M'Mullin,

shall be given against the plaintiff or plaintiffs, the defendant or defendants shall have treble costs and shall have the like remedy for the same as any defendant or defendants hath or have in other cases to recover costs by law, & the proceedings of courts of appeal and courts martial, shall in no case whatever, be set aside or declared void by any judge or court of law on the ground of informality on such proceedings, and every judge who shall declare such proceedings void on the grounds before mentioned, shall be deemed guilty of a misdemeanor in office, *Provided*, such courts of appeal or courts martial shall be constituted under the authority of the United States, or this state.

On motion,

Said report was again read and the resolution thereto attached considered and adopted.

Ordered, That the Clerk inform the House of Representatives, accordingly.

Adjourned until nine o'clock on Monday morning.

## MONDAY, April 2, 1821.

Mr. Davidson presented a petition from sundry inhabitants of Fayette county, praying that the sum of seventy thousand dollars may be placed in the hands of commissioners, to be applied by them to purchasing real estates, that may be exposed to sale by the sheriff of said county, for one half of what they, the commissioners may really suppose them to be worth, at the time they are so offered for sale, and that the term of five eight or ten years may be allowed to the former owners, to repay the money and interest to the State: and said petition was read and laid on the table.

On motion of Mr. Piper and Mr. Dickerson,

Ordered, That the Committee appointed on the 30th of January last, on the petition of sundry inhabitants of Bedford county relating to the erection of a Poor house, be discharged from any further consideration of the same, and that said petition be recommended to the early attention of the next Legislature.

The Clerk of the House of Representatives being introduced presented for concurrence, two resolutions:

One thereof authorising the commissioners appointed to furnish the State Capitol, to deliver up to the Commissioners of Dauphin county, the House now occupied by the Legislature.

The other authorising the same Commissioners to present to the Corporation of the borough of Harrisburg, for the

use of public schools therein, certain of the desks now in the Hall of the House of Representatives.

He also informed that the House of Representatives have agreed to the report of the committee of conference on the subject of an amendment to the bill entitled

‘An act for the regulation of the Militia of this Commonwealth.’

He further informed that the House of Representatives have concurred in the amendments by the Senate to the bill entitled

‘A further supplement to an act entitled “An act to regulate the general elections within this Commonwealth.”

Mr. Coleman from the Committee to compare bills and present them to the Governor, for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar Committee from the House of Representatives, they have compared & on this day presented to the Governor for his approbation, the resolution and bills entitled as follows, to wit:

Resolution relative to the ownership and value of the Lots at Harrisburg, opposite the State Buildings.

‘A supplement to the act laying a tax on dogs, in the counties of Washington and Fayette, and for other purposes; and repealing the act laying a tax on dogs so far as the same relates to the county of Greene.’

‘An act relative to the Octorara navigation company.’

‘An act to erect the town of Kittanning, in the county of Armstrong into a borough.’

‘An act to authorise the president and managers of the Co-shecton Bridge Company, to erect a toll-house and gate, at or near the west end of said bridge, in the township of Damascus, in Wayne county.’

‘A supplement to the act entitled, ‘An act authorising the Governor to incorporate the Berwick water Company.”

‘A supplement to the act entitled ‘An act to compel Assignees to settle their accounts, and for other purposes.”

“An act making appropriations to defray certain expenses of government therein mentioned.”

‘An act for the relief of Joel Baily, late deputy sergeant at arms.’

‘An act appointing commissioners to view and lay out a

state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county.'

'An act relating to the appointment of the treasurer of Bucks county.'

'An act for removal of certain actions of ejectment for lands in Schuylkill county, which were instituted in Bucks county, before the division thereof.'

'An act appointing commissioners to construct a road in Clearfield county, from the seat of justice of said county, to the Moshannon creek.'

'A further supplement to the act entitled 'An act to incorporate the Kensington district of the Northern Liberties.'"

'An act to authorise the commissioners of Chester county, to purchase certain Indexes.'

'An act to extend the time for patenting lands in the seventeen townships of Luzerne, and for other purposes.'

'An act authorising the Downingstown Euphrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge.'

'An act for the relief of John M'Lean, a captain in the late war'

'An act to authorise the trustees of Leonard Walter, to borrow money on mortgage.'

'An act authorising the President and managers of Pawlingsford bridge over the river Schuylkill, to sell and transfer all their corporate rights and property.'

'An act authorising the Governor to procure on loan one Million of dollars.'

"An act to compensate John Davis, for certain rations furnished by him to a detachment of troops, in the service of this state, during the late war."

'A supplement to the act entitled 'An act to raise and collect county rates and levies.'"

"An act authorising a review of parts of a state road, in Fayette and Greene counties."

'A further supplement to the act entitled 'An act to regulate the general elections within this Commonwealth.'"

"A supplement to the several acts of general assembly respecting Auctions and Auctioneers."

An act laying a duty on the retailers of foreign merchandise.

Ordered to lie on the table.

Mr. Davidson from the Committee on accounts made report which was read as follows, to wit:

That they have examined the accounts of John Wyeth, printer of the bills of the Senate, as exhibited, and find there is due him for printing and stitching bills and other printing, the sum of seven hundred, and seventeen dollars, six and one fourth cents.

Therefore,

Resolved, That the Speaker draw his warrant on the State Treasurer, in favor of John Wyeth, the printer of the bills of the Senate, for the sum of seven hundred and seventeen dollars six and one fourth cents in full for said services.

On motion,

Said report was again read and the resolution thereto attached, considered and adopted

Whereupon,

A warrant was accordingly so drawn.

The bill from the House of Representatives, entitled

"An act to grant compensation to William Philson Esq. sheriff of Somerset county;" was read the third time, and

On the question,

Shall this bill pass?

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Dickerson,  
Eichelberger,  
Eyster,

NAYS.

Messrs. Alter,

YEAS.

Messrs. Feger,  
Hill,  
Hurst  
Leib,  
Piper,  
Sawyer,  
Willett,  
Markley, Speaker, 16

NAYS.

Messrs. Marks,

Cadwallader,  
Fry,  
Grosh,

M'Mullin,  
Smith,

7

So it was determined in the affirmative.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments in which the concurrence of that House is requested.

The bill from the House of Representatives, entitled

A supplement to an act entitled "An act erecting part of Cumberland county into a separate county to be called Perry," was read the third time and

Resolved, That it pass.

Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

On motion,

The amendments by the House of Representatives to the bill entitled

"A further supplement to the act entitled "An act for the consolidation and amendment of the laws as far as they respect the poor of the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties," read this morning, were again read considered and concurred in.

Ordered, That the Clerk inform the House of Representatives, accordingly.

The bill from the House of Representatives entitled

"An act establishing academies in the town of Kittanning, in Armstrong county, and in Warren in Warren county, and granting a sum of money thereto," was read the second time as reported by a committee of the whole, on Saturday last.

The sections were severally considered and agreed to.

The title being agreed to after being amended to read as follows, to wit:

"An act establishing an academy, in the town of Kittanning in Armstrong county, and granting a sum of money thereto."

Ordered, That said bill be prepared for a third reading.

On motion and by special order,

Said bill was read the third time; and

Resolved, That it pass.



Ordered, That the clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

A motion was made by Mr. Davidson and Mr. Cadwallader and read as follows, to wit:

"Resolved, That the speaker draw his warrant on the State Treasurer in favor of George R. Harter for four hundred and fifty dollars which shall be in full for his services as transcribing clerk of the Senate during the present session."

On motion,

Said resolution was again read, considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

Mr. Feger obtained leave to withdraw from the files of the present session the petition and documents of John E. Sorber.

Agreeably to order,

The Senate resolved itself into a committee of the whole Mr. Eichelberger in the chair, on the bill from the House of Representatives, entitled ]

"An act establishing and altering certain election districts."

And after some time,

The committee rose and reported said bill with amendments.

On motion,

Said bill was read the third time, considered by section and agreed to, and

Ordered, That it be prepared for a third reading.

On motion, and by special order,

Said bill was read the third time; and

Resolved, That it pass.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate have passed the same with amendments, in which the concurrence of that House is requested.

The clerk of the House of Representatives being introduced presented an extract from the Journal of that House which was read as follows, to wit:

On motion,

Resolved, That Messrs. Todd and Dunn be a committee who shall in conjunction with a similar committee, from the Senate if Senate should appoint such committee ascertain whether the State Capitol will be completed in time for the accommodation of the next legislature.

A motion was then made by Mr. Eichelberger and Mr. Grosh, That a committee be appointed to act in conjunction with the aforesaid committee appointed by the House of Representatives.

Whereupon,

A motion was made by Mr. Davidson and Mr. Cadwallader, To postpone the further consideration of said question, for the present and that said extract be laid upon the table, which was agreed to.

The Secretary of the Commonwealth being introduced presented a message from the Governor which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and desired the Secretary of the Commonwealth to return them to the Senate in which they originated.

"A further supplement to the act entitled "An act laying a tax on dogs in certain counties, and for other purposes."

"An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's Mill in Loyalsock township, to Hogland's Mill in Elkland township."

"An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey certain real estate."

"A further supplement to an act entitled "An act granting a sum of money to aid in removing certain obstructions out of Sheerman's creek."

"A supplement to the act establishing an Academy in Chester county, passed the thirteenth March, eighteen hundred and eleven."

"An act to authorize the appointment of Commissioners to investigate the causes and extent of pauperism within the City and Liberties of Philadelphia."

"A supplement to the act entitled "An act to authorize the governor of this commonwealth to incorporate a company

for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia."

"A supplement to an act entitled "An act to authorise the Auditor General to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery."

"An act to legalize the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes."

"An act to confirm certain proceedings in the orphan's court of Lancaster county, and for other purposes."

"An act to incorporate the apprentices library company, of Philadelphia."

"An act for the relief of witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at court."

"An act to authorize certain trustees therein named, to convey a lot of ground in Birmingham township, in Chester county."

"An act regulating fences in the counties of Cumberland and Perry."

"An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne."

"A supplement to an act entitled "An act to declare and regulate escheats."

"A supplement to an act entitled "An act for establishing a health-office, and to secure the city and port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes."

"A resolution authorising and requiring the governor of this Commonwealth, to correspond with the governor, of the State of New-York upon the subject of certain grievances contained in the preamble to this resolution, and requesting him to take such measures as he may deem best calculated to give early and reasonable satisfaction to the aggrieved petitioners."

JOSEPH HIESTER.

*April 2, 1821.*

Ordered, To lie on the table.

On motion of Mr. Allshouse and Mr. Alter,

The Senate resumed the consideration of the report of the committee of the whole disagreeing to the bill from the House of Representatives entitled

"A supplement to an act entitled "An act affording immediate relief to Michael Mullen, and granting him an annuity," passed the sixth day of February one thousand eight hundred and ten;," postponed for the present on the 28th inst.

The question recurring,

Will the Senate agree to said report?

It was determined in the negative.

Whereupon,

On motion,

Said bill was read the second time, considered by section and agreed to; and

Ordered, That it be prepared for a third reading.

On motion, and by special order,

Said bill was read the third time, and

Resolved, That it pass.

Ordered, That the Clerk return said bill to the House of Representatives with information that the Senate have passed the same without amendment.

The clerk of the House of Representatives being introduced, returned bill, entitled

'An act to encourage the destruction of red Foxes or Crows within the counties of Huntingdon, Centre, Mifflin and Clearfield,'

And informed that the House of Representatives have passed said bill with amendments, in which the concurrence of the Senate is requested."

He further informed that the House of Representatives have concurred in the amendments by the Senate, to the following bills, viz:

"An act to authorise the laying out of a state road from Mount Pleasant, in Westmoreland county, to intersect the national road east of Washington, in Washington county."

'An act to grant compensation to William Philson Esq. Sheriff of Somerset county.'

"A supplement to an act entitled "An act erecting part of Cumberland county into a sepearte county to be called Perry."

**"An act for the relief of sundry old soldiers and widows of soldiers of the revolutionary war."**

**"An act to authorise the Overseers of the poor of the township of Hamilton in the county of Northampton to receive the annuity of Henry Wooley an old soldier."**

**"An act for the relief of David Sharp."**

On motion,

**The amendments by the House of Representatives to the bill, entitled**

**"An act to encourage the destruction of red foxes crows and black-birds within this Commonwealth;" were read as follows, viz:**

**Amendments by the House of Representatives to the bill from the Senate, entitled**

**"An act to encourage the destruction of red Foxes, Crows within the counties of Huntingdon Centre Mifflin and Clearfield."**

**Section one strike out all that follows the enacting clause, to the end of the section, and insert in lieu thereof the following, viz:**

**"Any person or persons who shall after the passage of this act bring or cause to be brought into this Commonwealth any black or colored indented servant, above the age of twenty-eight years, such person his or her heirs executors administrators and assigns and all and every of them, severally shall be liable to the Overseers of the poor of the city township or district to which any such negro or mulatto shall become chargeable for such necessary expence with costs of suit thereon as such overseers may be put to for the maintenances &c. of such black or colored person."**

**Strike out section two,**

**Title, make it read "An act to prevent the increase of pauperism in this Commonwealth."**

**A motion was made by Mr. Coleman and Mr. Davidson,**

**That the Senate concur in said amendments,**

**On the question,**

**Will the Senate agree so to concur?**

**A motion was made by Mr. Grosh and Mr. Smith,**

To postpone the further consideration of said question together with the amendments and bill indefinitely, and

On the question,

Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Davidson and Mr. Coleman, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Cochran, Dickerson, Grosh,	Messrs. Piper, Power, Sawyer, Smith, 9
NAYS.	NAYS.
Messrs. Cadwallader, Coleman, Conyngham, Davidson, Eichelberger, Eyster,	Messrs. Feger, Hill, Leib, M'Mullin, Willett, Markley, speaker, 12

So it was determined in the negative.

The question recurring,

Will the Senate concur in said amendments,

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follows, to wit:

YEAS.	YEAS.
Messrs. Cadwallader, Coleman, Conyngham, Davidson, Eichelberger, Feger,	Messrs. Hill, Leib, M'Mullin, Willett, Markley, speaker, 11.
NAYS.	NAYS.
Messrs. Allshouse, Cochran, Dickerson, Grosh, Marks,	Messrs. Piper, Power, Sawyer, Smith, 9

So it was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

The clerk of the House of Representatives being introduced, informed that the House of Representatives have receded from their adherence to the amendments to section thirty-eight to the bill, entitled

'An act for the regulation of the Militia of this Commonwealth;' and insist on their adherence in the amendment, viz: striking out section fifty-five of said bill, and have appointed Messrs. Lawrence, Todd and Robbins a committee to confer with a committee of Senate on the subject of said amendment.

He further informed that the House of Representatives have concurred in the amendments by the Senate to the bills entitled as follows:

"A supplement to an act entitled "An act to raise and collect county rates and levies."

'An act laying a duty on the retailers of Foreign Merchandize.'

"An act to compensate John Davis, for certain rations furnished by him to a detachment of troops in the service of this State during the late war.'

'An act making appropriations to defray certain expenses of Government therein mentioned.'

'An act to authorize the Governor to procure on loan one million of dollars.'

'A supplement to the several acts of the General Assembly respecting auctions and auctioners.'

On motion,

The amendments by the House of Representatives read this morning to the bill entitled

'An act to erect the town of Montrose in the county of Susquehanna into a borough;' were read as follows, viz. Amendments by the House of Representation to the bill from the Senate entitled

'An act to erect the town of Montrose in the county of Susquehanna into a borough.'

Section one strike out all that follows the enacting clause and insert the following, viz:

To postpone the further consideration of said question together with the amendments and bill indefinitely, and

On the question,

Will the Senate agree so to postpone?

The yeas and nays were required by Mr. Davidson and Mr. Coleman, and are as follow, to wit:

YEAS.	YEAS.
Messrs. Allshouse, Alter, Cochran, Dickerson, Grosh,	Messrs. Piper, Power, Sawyer, Smith, 9
NAYS.	NAYS.
Messrs. Cadwallader, Coleman, Conyngham, Davidson, Eichelberger, Eyster,	Messrs. Feger, Hill, Leib, M'Mullin, Willet, Markley, speaker, 12

So it was determined in the negative.

The question recurring,

Will the Senate concur in said amendments,

The yeas and nays were required by Mr. Davidson and Mr. Grosh, and are as follows, to wit:

YEAS.	YEAS.
Messrs. Cadwallader, Coleman, Conyngham, Davidson, Eichelberger, Feger,	Messrs. Hill, Leib, M'Mullin, Willet, Markley, speaker, 11.
NAYS.	NAYS.
Messrs. Allshouse, Cochran, Dickerson, Grosh, Marks,	Messrs. Piper, Power, Sawyer, Smith, 9



So it was determined in the affirmative.

Ordered, That the clerk inform the House of Representatives accordingly.

The clerk of the House of Representatives being introduced, informed that the House of Representatives have receded from their adherence to the amendments to section thirty-eight to the bill, entitled

'An act for the regulation of the Militia of this Commonwealth;' and insist on their adherence in the amendment, viz: striking out section fifty-five of said bill, and have appointed Messrs. Lawrence, Todd and Robbins a committee to confer with a committee of Senate on the subject of said amendment.

He further informed that the House of Representatives have concurred in the amendments by the Senate to the bills entitled as follows:

"A supplement to an act entitled "An act to raise and collect county rates and levies."

'An act laying a duty on the retailers of Foreign Merchandise.'

'An act to compensate John Davis, for certain rations furnished by him to a detachment of troops in the service of this State during the late war.'

'An act making appropriations to defray certain expenses of Government therein mentioned.'

'An act to authorise the Governor to procure on loan one million of dollars.'

'A supplement to the several acts of the General Assembly respecting auctions and auctioners.'

On motion,

The amendments by the House of Representatives read this morning to the bill entitled

'An act to erect the town of Montrose in the county of Susquehanna into a borough;' were read as follows, viz.

Amendments by the House of Representation to the bill from the Senate entitled

'An act to erect the town of Montrose in the county of Susquehanna into a borough.'

Section one strike out all that follows the enacting clause and insert the following, viz:

‘That Stephen Balliol jr. Benjamin Cary and George Haines be and they are hereby appointed commissioners, to lay out and make a road to commence at the borough of Wilkesbarre by the best and nearest route up Solomon’s Gap, to intersect the Berwick and Lausanne turnpike road at or near captain Eddy’s tavern and the commissioners shall proceed to perform the said service at such time as the governor may direct, and they shall deposit a copy of a draft of said road in the office of the clerk of quarter sessions in each county, through which the said road, may pass and the clerk respectively shall enter the same on the records of the county which shall be a record of the said road and from thenceforth said road shall be to all intents and purposes a public highway and shall be kept in repair in the same manner as other roads laid out by the authority of the courts in the counties aforesaid.’

Strike out all the remaining sections of the bill and substitute in lieu thereof two sections as follows, viz:

SECTION 2. *And be it further enacted by the authority aforesaid,* That each of the commissioners aforesaid shall receive one dollar and fifty cents for every day they shall be necessarily employed in the service aforesaid, with a reasonable compensation for the hands necessarily employed, in chaining and marking the lines of the road aforesaid, to be paid by the counties through which the said road passes, in proportion to the number of miles in each.

SECTION 3. *And be it further enacted by the authority aforesaid,* That all the county and road taxes which shall be levied on the unseated lands, in the several townships through which the aforesaid road may pass, shall be kept separate and apart from the respective county funds, and applied exclusively to the making and opening said road for and during the term of three years, to commence from the period of the next assessment.

Make the title read as follows :

‘An act to lay out a state road leading from Wilkesbarre in the county of Luzerne, to intersect the Berwick and Lausanne turnpike road, at or near captain Eddy’s tavern.’

And the said amendments being under consideration,

• A motion was made by Mr. Conyngham and Mr. Davidson,

That the Senate concur in said amendments, and

On the question,

Will the Senate agree so to concur.

A motion was made by Mr. Grosh and Mr. Cochran,

To postpone the further consideration of said question for the present and that said amendments be laid upon the table, which was agreed to.

On motion of Mr. Hill and Mr. Fry,

Ordered, That the committee appointed on the 28th of December last on the subject of appointments to office by the governor be discharged from the further consideration of the subject and that the same be recommended to the early attention of the next Legislature.

Adjourned until half-past 3 o'clock this afternoon.

### **SAME DAY—IN THE AFTERNOON.**

A motion was made by Mr. Allshouse and Mr. Alter,

That the Senate proceed to the consideration of the bill from the House of Representatives entitled

"An act to authorise the citizens of the provisional county of Jefferson to elect county commissioners, and for other purposes."

On the question,

Will the Senate agree to said motion?

The yeas and nays were required by Mr. Allshouse and Mr. Alter, and are as follow, to wit:

YEAS.		YEAS.	
Messrs. Allshouse,		Messrs. Marks,	
Davidson,		Sawyer,	
Eyster,		Markley, Speaker,	
Fry,			7
NAYS.		NAYS.	
Messrs. Alter,		Messrs. Grosh,	
Cadwallader,		Hill,	
Cochran,		Leib,	
Coleman,		M'Mullin,	
Conyngham,		Smith,	
Dickerson,		Willetts,	12

So it was determined in the negative.

The Secretary of the Commonwealth being introduced, pre-

seated a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and resolution, and directed the Secretary of the Commonwealth to return the same to the Houses in which they originated.

‘An act for the relief of John McLean, a captain in the late war’

‘A further supplement to the act entitled ‘An act to incorporate the Kensington district of the Northern Liberties.’

‘An act to extend the time for patenting lands in the seventeen townships of Luzerne, and for other purposes.’

‘An act relating to the appointment of the treasurer of Bucks county.’

‘An act for the relief of Joel Bailly, late deputy sergeant at arms.’

‘An act making appropriations to defray certain expenses of government therein mentioned.’

‘An act to authorise the president and managers of the Costruction Bridge Company, to erect a toll-house and gate, at or near the west end of said bridge, in the township of Damascus, in Wayne county.’

‘A supplement to the act entitled, ‘An act authorising the Governor to incorporate the Berwick water Company.’

‘An act to compensate John Davis, for certain rations furnished by him to a detachment of troops, in the service of this state, during the late war.’

‘An act to authorise the trustees of Leonard Walter, to borrow money on mortgage.’

‘An act authorising the Downingstown Euphrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge.’

‘An act for removal of certain actions of ejectment for lands in Schuylkill county, which were instituted in Bucks county, before the division thereof.’

‘A supplement to the act entitled ‘An act to compel Assignees to settle their accounts, and for other purposes.’

‘An act authorising the Governor to procure on loan one Million of dollars.’

‘An act appointing commissioners to construct a road in Clear-

field county, from the seat of justice of said county, to the Mo-shannon creek.'

'An act authorising the President and managers of Pawlingsford bridge over the river Schuylkill, to sell and transfer all their corporate rights and property.'

'A supplement to the act laying a tax on dogs, in the counties of Washington and Fayette, and for other purposes; and repealing the act laying a tax on dogs so far as the same relates to the county of Greene.'

'An act to authorise the commissioners of Chester county, to purchase certain Indexes.'

'An act appointing commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county.'

'An act to erect the town of Kittanning, in the county of Armstrong into a borough.'

'An act relative to the Octorara navigation company.'

An act laying a duty on the retailers of foreign merchandise.

'A further supplement to the act entitled 'An act to regulate the general elections within this Commonwealth.'

"An act authorising a review of parts of a state road, in Fayette and Greene counties."

'A supplement to the act entitled 'An act to raise and collect county rates and levies.'

"A Resolution requiring the Secretary of the Commonwealth, Secretary of the Land Office, the Auditor and Surveyor Generals, to ascertain if practicable, who are the owners of the several Lots of ground in front of the State Buildings, at Harrisburg, and lying between South street and North street; also to ascertain by viewers to be chosen between them and the owners respectively, or in any other manner, which they may deem just, the price for which each lot can be purchased, and report the same and their opinion of the reasonableness of the price of each Lot, to the Legislature as soon as practicable.'

JOSEPH HIESTER.

*April 2d, 1821.*

Ordered, To lie on the table.

The Clerk of the House of Representatives being introduced informed that the House of Representatives have concurred in all the amendments by the section to the bill entitled

'An act establishing and altering certain election districts;' except the following, viz:

Section XXV. as printed, section XXVI. do. and section 36, which amendments they have non concurred.

He further informed that the House of Representatives have concurred in the amendments by the section to the bill entitled

"An act establishing academies in the town of Kittaning, in Armstrong county, and in the town of Warren, in Warren county, and granting a sum of money thereto."

On motion,

The Senate proceeded to the consideration of the amendments to the bill from the House of Representatives entitled

"An act establishing and altering certain election districts ;" non-concurred in by that House.

Whereupon,

A motion of Mr Cochran and Mr. Davidson,

That the Senate recede from their amendments to the bill, which was agreed to.

Ordered, That the Clerk inform the House of Representatives accordingly.

Mr. Davidson from the committee of accounts made report, which was read as follows, to wit :

That they have examined the accounts of William F. Buyers, the printer of the Journal of the Senate, in the English language, and find that there is a balance due to him of nine hundred and twenty-eight dollars, and twenty cents.

Therefore,

Resolved, That the Speaker draw his warrant on State Treasurer in favor of William F. Buyers, for the sum of nine hundred and twenty-eight dollars, and twenty cents.

The following is the account:—

To printing 45 sheets of journal in the English language, at 20 dollars per sheet,	\$ 900,00
Probable number of sheets yet to be printed, according to the last journals will be six sheets,	120,00
Appendix and Index—three sheets,	60,00
To re-printing the first half sheet of the journal, by order of the clerk of the Senate,	10,00
To three hundred copies of Report on State Maps,	10,00
Do. Three hundred copies of Governor Hiester's Inaugural address,	10,00
Do. Philadelphia Bank Report,	10,00
Auditor General's Report on Banks,	60,00

Report on the Farmers' and Mechanics' Bank and Bank of Pennsylvania,	10,00
Report on the Penitentiary System,	20,00
Do. On the Columbian Bridge,	20,00
Report on Banks,	30,00
List of Yeas and Nays,	3,00
List of titles of Acts and Resolutions,	20,00
To folding 300 Journals for the Senate,	30,00
To folding and stitching 1,050 Journals for the Se- cretary's Office,	95,00
Do. Incidental work,	20,20
	<hr/>
	\$ 1428,20
	<hr/>
Cr. by warrant,	500,00
	<hr/>
Balance,	\$ 928,20

On motion,  
Said report was again read and the resolution thereto attached  
considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

A motion was made by Mr. Coleman and Mr. Leib,

That when the Senate adjourns it will adjourn until 8 o'clock  
this evening, which was agreed to.

A motion was made by Mr. Conyngham and Mr. Fry,

That the Senate resume the consideration of the amendments  
by the House of Representatives to the bill entitled

'An act to erect the town of Montrose in the county of Sus-  
quehanna into a borough ;' which was agreed to.

Whereupon,

The Senate adjourned until 8 o'clock this evening.

## SAME EVENING.

Agreeably to order,

The Senate resumed the consideration of the amendments by  
the House of Representatives to the bill entitled

'An act to erect the town of Montrose in the county of Sus-

quehanna into a borough ;' the same having been under consideration when the Senate adjourned this afternoon.

The question recurring,

Will the Senate concur in said amendments,

A motion was made by Mr. Grosh and Mr. Winter,

To postpone the further consideration of said question for the purpose of introducing the following resolution, to wit:

Resolved, That the Senate can not agreeable to their opinion of the orders which ought to be observed between the two houses, receive the amendment as such from the House of Representatives, to the bill of the senate entitled as above.

Because an entire new bill was by the House of Representatives engrafted on the words of the Senate bill. Be it enacted &c, and that bill being of a different nature, and import with the one sent to the House of Representatives.

But the Senate believe it to be still more clearly out of order by the House of Representatives, to send such an amendment to the Senate, during the last six days of the session. It being virtually in contradiction of the joint rule adopted by both Houses, which is to be found on the journal of the Senate of the present session, page 53 and 54.

On the question,

Will the Senate agree so to postpone?

It was determined in the affirmative.

Whereupon,

Said resolution was read the second time considered and adopted.

Mr. Coleman from the committee to compare bills and present them to the Governor for his approbation, made report which was read as follows, to wit:

That in conjunction with a similar committee from the House of Representatives, they have compared and on this day presented to the Governor for his approbation, the bills entitled as follows, to wit:

'An act for the regulation of the Militia of this Commonwealth.'

'An act to autorise the laying out of a state road from Mount Pleasant, in Westmoreland county, to intersect the national road east of Washington in Washington county.'

'An act to grant compensation to William Philson, and others.'

An supplement to an act entitled 'An act erecting part of



Cumberland county into a separate county, to be called Perry.)

'An act for the relief of sundry old soldiers of the revolutionary war.'

'An act to authorise David Heller of the county of Northampton, to receive the annuity of Henry Woolery, an old soldier.'

'An act for the relief of Daniel Sharp.'

A further supplement to the act entitled 'An act for the consolidation and amendment of the laws as far as they respect the Poor of the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties, and for other purposes.'

"An act authorising the court of Quarter Sessions, of Lehigh county, to direct a review of a part of the state road leading from the borough of Northampton to Jonestown."

'An act to prevent the increase of Pauperism in this Commonwealth.'

A supplement to an act entitled 'An act affording immediate relief to Michael Mullen, and granting him an annuity;' passed the sixth day of February, one thousand eight hundred and ten.

'An act establishing an academy in the town of Kittanning, in Armstrong county, and granting a sum of money thereto.'

'An act establishing and altering certain election districts.'

Ordered to lie on the table,

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and desired the Secretary of the Commonwealth to return the same to the Houses in which they originated.

"An act to authorise the laying out of a state road from Mount Pleasant, in Westmoreland county, to intersect the national road east of Washington, in Washington county."

"A further supplement to the act entitled "An act for the consolidation and amendment of the laws as far as they respect the poor of the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties and for other purposes."

"A supplement to an act entitled "An act erecting part of

Cumberland county into a seperate county to be called Perry."

"An act to prevent the increase of pauperism in this Commonwealth."

"An act to authorise David Heller of the county of Northampton to receive the annuity of Henry Woolery an old soldier."

'An act to grant compensation to William Philson, and others.'

'An act for the relief of sundry old soldiers of the revolutionary war.'

'An act authorising the court of quarter sessions of Lehigh county, to direct a review of a part of the state road leading from the borough of Northampton to Jonestown.'

"An act for the relief of David Sharp."

'A supplement to the several acts of the General Assembly respecting auctions and auctioners.'

'An act for the regulation of the Militia of this Commonwealth;'

JOSEPH HIESTER.

*April 2d, 1821.*

Ordered, To lie on the table.

A motion was made by Mr. Coleman and Mr. Davidson,

That when the Senate adjourns it will adjourn until 6 o'clock to-morrow morning.

The Secretary of the Commonwealth being introduced, presented a message from the Governor, which was read as follows, to wit:

*To the Senate and House of Representatives of the Commonwealth of Pennsylvania.*

Gentlemen,

I have this day approved and signed the following acts and and directed the Secretary of the Commonwealth to return the same to the Houses in which they originated.

"An act establishing and altering certain election districts."

"An act establishing academies in the town of Kittanning, in Armstrong county, and granting a sum of money thereto."

'A supplement to an act entitled 'an act affording immediate relief to Michael Mullen and granting him an annuity,' passed the sixth day of February one thousand eight hundred and ten.'

JOSEPH HIESTER.

*April 2, 1821.*

Ordered to lie on the table.

On motion,

Ordered, That Mr. Piper and Mr. Eichelberger, be a committee in conjunction with a committee of the House of Representatives if that House shall appoint such a committee to wait on the Governor and enquire whether he has any further communication to make to the legislature and to inform him that the legislature have agreed to adjourn to-morrow.

Adjourned until 6 o'clock to-morrow morning.

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**TUESDAY, April 3, 1821.**

The Clerk of the House of Represented the following extract viz :

On motion,

Ordered, That Mr. Coulter and Mr. Lardner be a committee in a conjunction with a committee of the Senate, to wait upon the Governor and inform him that the general assembly have agreed to adjourn this day.

Mr. Davidson from the committee of accounts made report, which was read as follows, to wit:

That they have examined the accounts of Joseph A. M'Jimsey, the clerk of the Senate relative to the contingent expenses, thereof and find a balance due to him (over and above the sum of eleven hundred dollars; which has been advanced to him on account) of one hundred and three dollars twenty-nine and an half cents.

Therefore,

Resolved, That the Speaker draw his warrant on State Treasurer for the sum of one hundred and three dollars, twenty-nine and an half cents.

On motion,

Said report was again read and the resolution thereto attached considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

Mr. Coleman from the committee to compare bills and pre-

sent them to the governor for his approbation made final report which was read as follows, to wit:

That the committee in conjunction with a similar committee of the House of Representatives have deposited in the office of the Secretary of the Commonwealth, for enrolment the several acts and resolutions of the general assembly passed during the present session entitled respectively as follows to wit:

1. An act reducing the salaries of the Governor and Secretary of the commonwealth.
2. An act to change the name of Mary Josephine Sige, to Mary Josephine Soullier.
3. A supplement to an act entitled An act to raise and collect county rates and levies.
4. An act to annul the marriage of George Reid, and Elizabeth his wife.
5. An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth.
6. An act authorising the appointment of commissioners for the purpose of taking testimony relative to the original plan of the town of Armagh, and recording the same.
7. An act reducing the salaries of sundry public officers, and the daily pay of members of the legislature.
8. An act to refund to James Herrington, money paid by him to Daniel Perkins, for painting the roof of the arsenal at Meadville.
9. A supplement to an act entitled An act to provide for the erection of an additional court within the city and county of Lancaster.
10. An act authorising the electors in the borough of Milton, in the county of Northumberland, to elect overseers of the poor.
11. An act requiring directors of the poor to publish their respective accounts, annually.
12. An act to enable Catharine Augusta Newbold, and others, administrators of Thomas Newbold, deceased, to sell certain real estate of the intestate.
13. A further supplement to the act entitled An act to provide for the education of children at the public expense within the city and county of Philadelphia."
14. An act for the relief of Frederick Wendt, an old soldier.
15. A further supplement to an act entitled "An act to authorise the Governor to incorporate a company to make a Lock Navigation on the river Schuylkill.
16. An act establishing a public ferry on the North Branch of the river Susquehanna, in the county and village of Bradford, and to vest the right thereof in William Kelly, his heirs and assigns.

17. An act vesting a title to thirty acres of land, in Upper Mahanoy township, Northumberland county, in certain trustees and their successors, for the benefit of the congregations composed of Presbyterians and Lutherans.

18. An act to incorporate the proprietors of the Philadelphia Museum.

19. A supplement to an act entitled An act authorising the Governor to incorporate the president, managers and company of the Conemaugh Bridge Company.

20. A supplement to the act entitled An act for incorporating the German Lutheran Congregation in and near the borough of Lancaster, in the state of Pennsylvania.

21. A further supplement to an act entitled An act to enable executors and administrators, by leave of court, to convey lands and tenements contracted for with their decedents, and for other purposes therein mentioned, passed the thirty-first of March, one thousand seven hundred and ninety-two.

22. A supplement to the several acts of this commonwealth concerning Partitions.

23. An act authorising the Governor to issue process for the sale of certain real estate, late the property of John Nicholson, deceased.

24. An act to incorporate and endow the Pennsylvania Institution for the Deaf and Dumb.

25. An act to annul the marriage of John Erb, and Catharine his wife.

26. An act to authorise the Governor to contract with John Bioren, for printing the sixth volume of the laws of this commonwealth

27. An act authorising Margaret Messinger and Jacob Messinger, executors of Philip Messinger, deceased, to convey real estate therein mentioned.

28. A further supplement to the act entitled An act laying a tax on dogs in certain counties and for other purposes.

29. An act to annul the marriage contract of James Allen, and Jane his wife.

30. A supplement to an act authorising William Scott, of Mercer county, guardian of the minor children of Benjamin Lodge, deceased, to convey certain lands therein mentioned, passed the twenty-second day of March, one thousand eight hundred and twenty.

31. An act for the relief of Jefferson, Washington and Allegheny colleges.

32. An act to erect the town of Lebanon, in the county of Lebanon, into a borough.

33. An act in aid of the act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to

Anderson's creek, passed the twenty-second day of February, one thousand eight hundred and twelve.

34. An act to continue in force for four years the District Court of the city and county of Philadelphia.

35. An act to annul the marriage of William M'Keen, and Isabella his wife.

36. An act for the relief of Dickinson College.

37. An act to alter and amend the Fee-Bill.

38. An act authorising the Governor to appoint commissioners to view and lay out a state road from Berrysburg, by the way of the town of Gratz, in Dauphin county, to the borough of Reading, in Berks county.

39. An act for the relief of the heirs of James Moore, deceased, and for other purposes.

40. An act for the relief of sundry old soldiers.

41. An act granting a review of part of the state road from Butler to Franklin.

42. An act to erect the town of Berlin, in Somerset county, into a borough.

43. An act authorising the Governor to incorporate the Centre and Kishacoquillas turnpike road company.

44. An act to incorporate the Widows' Society of Bethlehem.

45. An act for the relief of sundry soldiers of the revolutionary war.

46. A further supplement to an act entitled "An act authorising the governor to incorporate a company for making an artificial road from the bank of the river Susquehanna, opposite the borough of Harrisburg, to Pittsburg.

47. An act extending an act entitled "An act securing to mechanics and others, payment for their labor and materials in erecting any house or other building within the city and county of Philadelphia, to the counties of Delaware, Bucks, Luzerne and Mifflin.

48. An act for the relief of the public school of Germantown, in the county of Philadelphia.

49. An act to vest in Bridget Cooper, the right of this commonwealth to the estate of Wiliam Waterhouse, formerly of Delaware county, deceased.

50. An act to vest two tracts of land in Westmoreland county, in trustees for the uses of the last will of the reverend Theodore Browsers, deceased.

51. An act to ratify and confirm acts and proceedings of the stockholders of the Washington Bank, and for other perposes.

52. An act more effectually to restrain gunners, and for other purposes.

53. An act explanatory of the act for the better regulation of

the city of Philadelphia and districts adjoining, and preserving the navigation of the river Schuylkill.

54. An act to establish a fifteenth judicial district.

55. An act for the relief of Thomas Laird.

56. A further supplement to an act entitled An act authorising the Governor to incorporate two companies for making an artificial road from the city of Pittsburg, through Butler and Mercer, to Meadville.

57. A further supplement to an act for making the turnpike roads from Susquehanna to Waterford, and from Northumberland to Anderson's Creek, passed the twenty-second day of February, one thousand eight hundred and twelve.

58. An act for the relief of James M'Ghee and others.

59. An act to encourage the apprehension of persons who shall have committed the crime of horse-stealing.

60. An act authorising George Miller and others to drain a certain swamp in the county of Dauphin.

61. An act to enable Samuel Baird, one of the administrators of John Baird, to convey certain lands therein mentioned.

62. A supplement to an act entitled An act erecting part of Cumberland county into a separate county, to be called Perry.

63. A further supplement to an act entitled An act to provide for the education of children at the public expense, within the city and county of Philadelphia.

64. An act to provide for the erection of a State Penitentiary within the city and county of Philadelphia.

65. An act to authorise the Roman Catholic Society, worshipping at the Church of St. Mary's, in Philadelphia, to amend their charter of incorporation.

66. An act for the improvement of the state.

67. A supplement to the act entitled "An act to provide for the enumeration of the taxable inhabitants and slaves within this commonwealth.

68. An act authorising the trustees and elders of the German Reformed and German Lutheran congregations, of the borough of Greensburg, to sell and convey a certain lot or parcel of ground in said borough.

69. An act to confirm the title of Daniel Walp to certain real estate therein mentioned.

70. An act to enable Abraham Rinehart and Isaac Rinehart administrators of John Rinehart, deceased, to sell certain real estate of the inestate.

71. An act to continue in force An act for the appraisement of estates taken in execution.

72. An act for the more convenient education of the poor, gra

tis, within the counties of Cumberland, Dauphin and Lancaster.

73 An act to regulate Inspections.

74 A supplement to the act entitled An act to alter the Judiciary System of this commonwealth, passed February twenty four eight hundred and six.

75 An act authorising the President Judges of the ninth and fourth judicial districts, to try certain causes in the counties therein mentioned.

76 A supplement to an act entitled An act authorising the Governor to appoint commissioners to view the ground from the west end of the Harrisburg bridge, to the river Juniatta, at or near Millerstown.

77 An act for the relief John Huey of Berks county.

78 An act annexing to Lebanon county, that part of East Hanover and Bethel townships, which lies north of the Blue or Kitting Mountain, in Dauphin county.

79 A supplement to the act entitled An act to promote the comfort of the poor.

80 A further supplement to the act entitled An act to incorporate the town of Columbia in the county of Lancaster.

81 An act to annul the marriage of George Taylor, and Sarah his wife.

82. An act to prevent fishing with nets, &c. in East-Conococheague Creek, Franklin county.

83. A supplement to an act entitled An act to incorporate an Academy or Public School, in the borough of Erie, and for other purposes therein mentioned.

84. A supplement to the act entitled "An act authorising the Governor to incorporate the Washington and Pittsburg turnpike road company.

85. An act providing compensation to James Lockhart, for a tract of land certified to Connecticut claimants, in Salem township, Luzerne county.

86. An act relative to Guardians of minor children.

87. A supplement to the act entitled An act for the promotion of agriculture and domestic manufactures.

88. An act concerning bills of exchange.

89. An act relating to proceedings in the action of account rendered.

90. An act providing for the furnishing of the State Capitol, and for other purposes therein mentioned.

91. An act supplementary to an act entitled An act to incorporate the township of Moyamensing, in Philadelphia county, passed the twenty-fourth March, one thousand eight hundred and twelve.

92. An act to repeal part of the second section of an act entitled



"A supplementary act to a law of this province entitled "An act that no public house or Inn within this province be kept without license.

93. An act for the relief of Captain Robert Orr, of the county of Armstrong.

94. An act supplementary to an act appropriating the monies arising from fines and forfeitures, to county purposes.

95. A supplement to an act entitled An act to provide for the better preservation and increase of the library of this commonwealth.

96. An act supplementary to an act entitled An act to incorporate a company for making an artificial road from Harrisburg, through Lewistown and Huntingdon, to Pittsburg.

97. An act to incorporate the old Columbia Water Company.

98. An act respecting the erection of certain gates on the York and Gettysburg, and the Milford and Owego turnpike roads.

99. A supplement to an act entitled An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes," passed the twenty-third day of February, one thousand eight hundred and nine, and for other purposes.

100. A supplement to an act entitled An act to regulate Proxeis.

101. An act to encourage domestic industry, and promote the comfort of the poor.

102. A supplement to the act entitle An act to regulate the fisheries, on the river Delaware and its branches, and for other purposes, passed the twenty-third day of February, one thousand eight hundred and nine, and for other purposes.

103. A supplement to the act entitled An act to enable the Governor of this Commonwealth, to incorporate a company for making an artificial road from Erie to Waterford.

104. A supplement to the act entitled An act directing the formation of a map of Pennsylvania.

105. An act to authorise an assignment of the concerns of the Philadelphia and Pittsburg transporting company.

106. An act to erect the town of Bethany in the county of Wayne into a borough.

107. An act for the more convenient education of the poor gratis within the county of Allegheny.

108. An act authorising the laying out certain State roads therein mentioned.

109. An act to incorporate the Loudon town water company in the county of Franklin.

110. An act appointing commissioners to open and construct a road in Lycoming county, from Carpenter's Mill in Loyalsock township, to Hogland's Mill in Elkland township.

111. An act authorising Ebenezer Rambo, executor of the last will and testament of Matthew Knox, late of Montgomery county, deceased, to sell and convey certain real estate.

112. A further supplement to an act entitled An act granting a sum of money to aid in removing certain obstructions out of Sheerman's creek.

113. A supplement to the act establishing an Academy in Chester county, passed the thirteenth March, eighteen hundred and eleven.

114. An act to authorize the appointment of Commissioners to investigate the causes and extent of pauperism within the City and Liberties of Philadelphia.

115. A supplement to the act entitled An act to authorize the governor of this commonwealth to incorporate a company for erecting a permanent bridge over the river Schuylkill, at or near the city of Philadelphia.

116. A supplement to an act entitled An act to authorise the Auditor General to settle and adjust the accounts of the treasurer and managers of the Susquehanna Lottery.

117. An act granting compensation to John Koons, for tracts of land certified to Connecticut claimants, in the seventeen townships of the county of Luzerne.

118. An act to legalize the public accounts settled by the auditors of the counties of M'Kean and Potter, and for other purposes.

119. An act regulating fences in the counties of Cumberland and Perry.

120. A supplement to an act entitled An act to declare and regulate escheats.

121. A further supplement to the act entitled An act laying a tax on dogs in certain counties, and for other purposes.

122. An act to confirm certain proceedings in the orphan's court of Lancaster county, and for other purposes.

123. An act to incorporate the apprentices library company, of Philadelphia.

124. A supplement to an act entitled An act establishing a health office, and to secure the City and Port of Philadelphia from the introduction of pestilential and contagious diseases, and for other purposes.

125. An act for the relief of witnesses on the part of this commonwealth, who may be committed to prison within the city and county of Philadelphia, in consequence of their not being able to find surety for their appearance at court.

126. An act to authorize certain trustees therein named, to convey a lot of ground in Birmingham township, in Chester county.

127. A supplement to the act laying a tax on dogs, in the

counties of Washington and Fayette, and for other purposes ; and repealing the act laying a tax on dogs so far as the same relates to the county of Greene.

128. An act relative to the Octorara navigation company.

129. An act to erect the town of Kittanning, in the county of Armstrong into a borough.

130. An act to authorise the president and managers of the Co-necton Bridge Company, to erect a toll-house and gate, at or near the west end of said bridge, in the township of Damascus, in Wayne county.

131. A supplement to the act entitled, An act authorising the Governor to incorporate the Berwick water Company.

132. A supplement to the act entitled An act to compel Assignees to settle their accounts, and for other purposes.

133. An act making appropriations to defray certain expenses of government therein mentioned.

134. An act for the relief of Joel Baily, late deputy sergeant at arms.

135. An act appointing commissioners to view and lay out a state road from Waynesburg, in Greene county, to the borough of Beaver, in Beaver county.

136. An act relating to the appointment of the treasurer of Bucks county.

147. An act for removal of certain actions of ejectment for lands in Schuylkill county, which were instituted in Bucks county, before the division thereof.

148. An act appointing commissioners to construct a road in Clearfield county, from the seat of justice of said county, to the Meshannon creek.

139. A further supplement to the act entitled An act to incorporate the Kensington district of the Northern Liberties.

140. An act to authorise the commissioners of Chester county, to purchase certain Indexes.

141. An act to extend the time for patenting lands in the seventeen townships of Luzerne, and for other purposes.

142. An act authorising the Downingstown Euphrata and Harrisburg turnpike road company, to extend the road to the Harrisburg bridge.

133. An act for the relief of John M'Clean, a captain in the late war.

144. An act to authorise the trustees of Leonard Walter, to borrow money on mortgage.

145. An act authorising the President and managers of Pawlings ford bridge over the river Schuylkill, to sell and transfer all their corporate rights and property.

147. An act authorising the Governor to procure on loan one million of dollars.

147. An act to compensate John Davis, for certain rations furnished by him to a detachment of troops in the service of this State during the late war.

148. A supplement to an act entitled An act to raise and collect county rates and levies.

149. An act authorising a review of parts of a state road, in Fayette and Greene counties.

150. A further supplement to the act entitled An act to regulate the general elections within this Commonwealth.

151. A supplement to the several acts of the general assembly respecting auctions and auctioneers.

152. An act laying a duty on the retailers of foreign merchandise.

153. An act for the regulation of the militia of this commonwealth.

154. An act to authorize the laying out of a state road from Mount Pleasant, in Westmoreland county, to intersect the national road cast of Washington in Washington county.

155. An act to grant compensation to William Philson, and others.

156. A supplement to an act entitled An act erecting part of Cumberland county into a separate county to be called Perry,

157. An act for the relief of sundry old soldiers of the revolutionary war.

158. An act to authorize David Heller of the county of Northampton to receive the annuity of Henry Woolery an old soldier,

159. An act for the relief of Daniel Sharp.

160. A further supplement to the act entitled An act for the consolidation and amendment of the laws as far as they respect the poor of the city of Philadelphia, the district of Southwark, and the township of the Northern Liberties, and for other purposes.

161. An act authorising the court of quarter sessions of Lehigh county, to direct a review of a part of the state road leading from the borough of Northampton to Jonestown.

162. An act to prevent the increase of pauperism in the commonwealth.

163. A supplement to an act entitled An act affording immediate relief to Michael Mullen, and granting him an annuity, passed the sixth day of February one thousand eight hundred and teu.

164. An act establishing academy in the town of Kittaning, in Armstrong county, and granting a sum of money thereto.

165. An act establishing and altering certain election districts.

## RESOLUTIONS, &c.

**Salmon Keeny, a justice of the peace of Bradford county.**

1. Resolution relative to an executive office in the state capitol.

2. Resolution relative to the removal of obstructions in the entrance of Erie Harbor.

3. Resolution relative to the inspection of beef, pork, &c. in the city and county of Philadelphia.

4. Resolution authorising the Governor to deliver to any authorised agent or officer, any arms or other property of the United States which may have come into the possession of this state during the late war.

5. Resolution requiring the Secretary of the Commonwealth to furnish certain members of the legislature with a copy of Smith's edition of the Laws of Pennsylvania.

6. Resolution relative to obstructions in certain streams running into the state of New-York.

7. Resolution relative to the ownership and value of the lots at Harrisburg, opposite to the state buildings.

1. Address to the Governor for the removal from office of Edmund Russell, a justice of the peace of Bradford county.

2. Address to the Governor for the removal from office of James M'Clellan, a justice of the peace of Chester county.

3. Address to the Governor for the removal from office of Salmon Keeny, a justice of the peace of Bradford county.

Ordered, To lie on the table.

A motion was made by Mr. Davidson and Mr. Grosh, and read as follows, to wit:

Resolved, That the Speaker draw his warrant on the State Treasurer, in favor of Joseph A. M'Jimsey, the Clerk of the Senate, for the sum of one thousand dollars, to enable him to settle with the several printers, and also to provide wood for the next session, and other contingencies, he to account for the same in the settlement of his accounts.

On motion,

Said resolution was again read considered and adopted.

Whereupon,

A warrant was accordingly so drawn.

Mr. Piper from the Committee appointed to wait upon the Governor, reported that they had performed that service, and

that the Governor informed them that he had no further communications to make to the General Assembly.

Mr. Brackenridge and Mr. Lombart, a committee from the House of Representatives being introduced, informed the Senate that that House is ready to adjourn.

On motion,

Mr. Davidson and Mr. Conyngham were appointed a Committee to inform the House of Representatives, that the Senate is now ready to adjourn.

And after some time,

Mr. Davidson reported that the Committee had performed that service.

Whereupon,

A motion was made by Mr. Coleman and Mr. Winter,

That the Senate adjourn, and

On the question,

Will the Senate adjourn?

The yeas and nays were required by Mr. Conyngham and Mr. Power, and are as follow, to wit:

YEAS.

Messrs. Allshouse,  
Alter,  
Cadwallader,  
Cochran,  
Coleman,  
Conyngham,  
Davidson,  
Eichelberger,  
Eyster,  
Feger,

YEAS.

Messrs. Fry,  
Grosh,  
Marks,  
M'Mullin,  
Piper,  
Power,  
Sawyer,  
Smith,  
Winter,  
Markley, Speaker, &c.

Nays—none.

So it was determined in the affirmative, and the Senate adjourned.

JOSEPH A. M'JIMSEY,  
Clerk of the Senate.

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**TO THE**

**JOURNAL**

**OF**

**THE SENATE**

**OF THE**

**COMMONWEALTH OF PENNSYLVANIA**

**SESSION 1820—21.**

§ In the following INDEX the several items marked with the letters U. B. signify *unfinished business*, and those with the letters N. S. *negatived in Senate*.

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